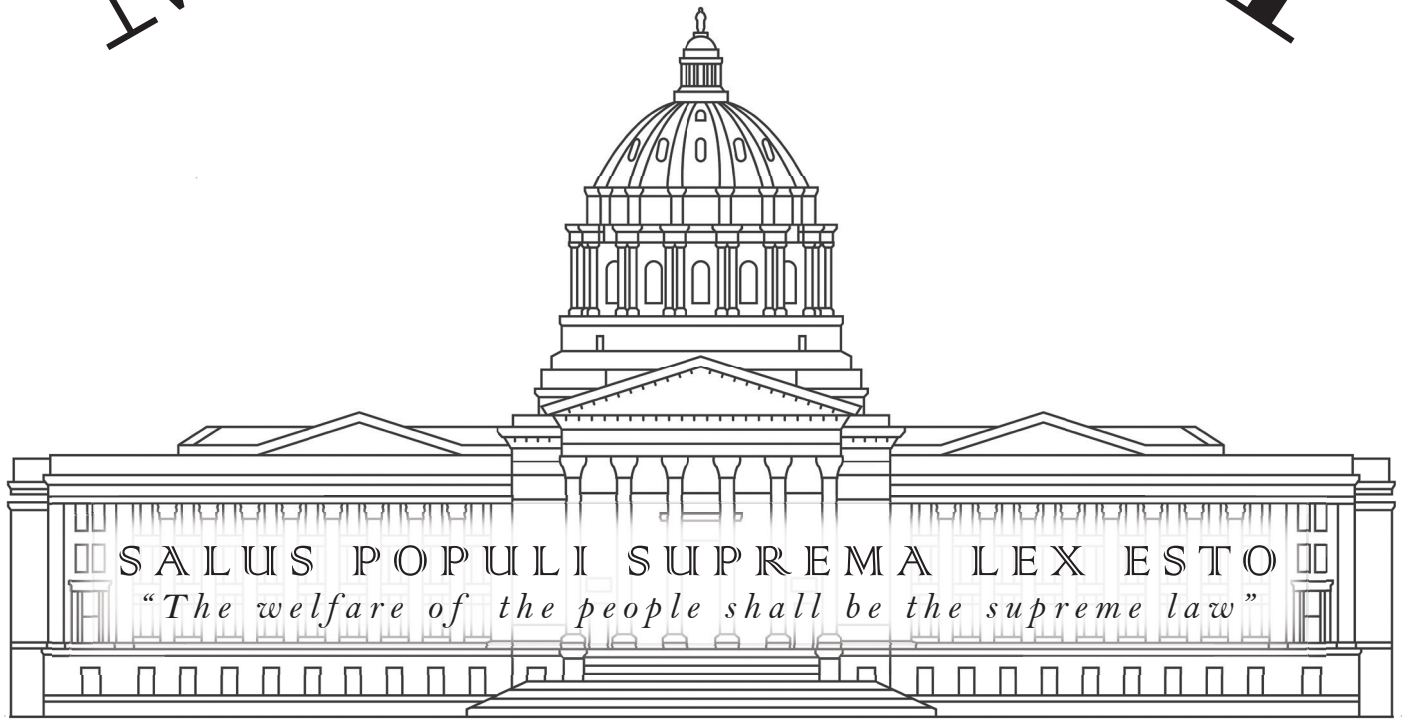


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October 16, 2023

MISSOURI



REGISTER

John R. Ashcroft  Secretary of State

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system—

Title	CSR	Division	Chapter	Rule
3	<i>Code of</i>	10-	4	115
Department	<i>State</i>	Agency	General area	Specific area
	<i>Regulations</i>	division	regulated	regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is sos.mo.gov/adrules/csr/csr

The *Register* address is sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

The text of proposed rules and changes will appear under this heading. A notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This explanation is set out in the PURPOSE section of each rule. A citation of the legal authority to make rules is also required, and appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules that are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close-of-comments date will be used as the beginning day in the ninety- (90-) day count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice, file a new notice of proposed rulemaking, and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 4 – Wildlife Code: General Provisions**

PROPOSED AMENDMENT

3 CSR 10-4.111 Endangered Species. The commission proposes to amend subsections (3)(F) and (3)(G) of this rule.

PURPOSE: This amendment adds to the state endangered species list two (2) crayfish species found in the St. Francis River watershed and a freshwater mussel species found in the Black, Current, Spring, and St. Francis river watersheds that have undergone significant declines and received federal listing as threatened species.

(3) For the purpose of this rule, endangered species of wildlife and plants shall include the following native species designated as endangered in Missouri:

(A) Mammals: gray bat, Ozark big-eared bat, Indiana bat, northern long-eared bat, black-tailed jackrabbit, spotted skunk[.];

(B) Birds: northern harrier, interior least tern, Swainson's warbler, snowy egret, king rail, Bachman's sparrow, American bittern, greater prairie-chicken[.];

(C) Reptiles: western chicken turtle, Blanding's turtle, yellow mud turtle, Mississippi green watersnake, eastern massasauga, prairie massasauga[.];

(D) Amphibians: eastern hellbender, Ozark hellbender[.];

(E) Fishes: lake sturgeon, pallid sturgeon, taillight shiner, Neosho madtom, spring cavefish, harlequin darter, goldstripe darter, cypress minnow, central mudminnow, crystal darter, swamp darter, Ozark cavefish, Niangua darter, Sabine shiner, mountain madtom, redbfin darter, longnose darter, flathead chub, Topeka shiner, grotto sculpin[.];

(F) Mussels: Curtis pearlymussel, Higgins' eye, pink mucket, fat pocketbook, ebonyshell, elephant ear, winged mapleleaf, sheepnose, snuffbox, scaleshell, spectaclecase, Neosho mucket, rabbitsfoot, salamander mussel, slippershell mussel, **western fanshell[.];**

(G) Crayfish: **Big Creek crayfish**, Caney Mountain Cave crayfish, coldwater crayfish, Spring River crayfish, **St. Francis River crayfish[.];**

(H) Other Invertebrates: American burying beetle, Hine's emerald dragonfly, Tumbling Creek cavenail[.]; **and**

(I) Plants: small whorled pogonia, Mead's milkweed, decurrent false aster, Missouri bladderpod, geocarpon, running buffalo clover, pondberry, eastern prairie fringed orchid, western prairie fringed orchid, Virginia sneezeweed.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.240, RSMo 2016. Original rule filed Aug. 15, 1973, effective Dec. 31, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons,
Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-7.440 Migratory Game Birds and Waterfowl: Seasons, Limits. The commission proposes to add a new subsection (3)(L), reletter subsequent subsections, and amend the new subsection (3)(M).

PURPOSE: This amendment allows the use of electronically activated calls for hunting waterfowl and coots, provided they are not capable of producing recorded or electronically amplified bird calls or sounds or electronically amplified imitations of bird calls or sounds.

(3) Seasons and limits are as follows:

(L) Electronically activated mechanical calls may be used and possessed to pursue and take waterfowl and coots. Such calls shall not be capable of producing recorded or electronically amplified bird calls or sounds or electronically amplified imitations of bird calls or sounds;

[(L)](M) Persons who possess a valid **[C]conservation [O]order** permit may chase, pursue, and take blue, snow, and Ross's geese from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset from February 7 through April 30. Any other regulation notwithstanding, methods for the taking of blue, snow, and Ross's geese include using shotguns capable of holding more than three (3) shells, and with the use or aid of recorded or electrically amplified bird calls or sounds, or recorded or electrically amplified imitations of bird calls or sounds, **including electronically activated calls.** An exception to the above permit requirement includes any person fifteen (15) years of age or younger, provided either 1) the person is in the immediate presence of a properly licensed adult (must possess a **[C]conservation [O]order** permit) who is eighteen (18) years of age or older and has in their possession a valid hunter education certificate card, or was born before January 1, 1967, or 2) the person possesses a valid hunter education certificate card. A daily bag limit will not be in effect February 7 through April 30 (See 3 CSR 10-5.436 and 3 CSR 10-5.567 for **[C]conservation [O]order [P]permit** requirements); and

[(M)](N) Migratory game birds, to include only doves, ducks, mergansers, and coots, may be taken by hunters with birds of prey as follows (See 3 CSR 10-9.442 for additional provisions about falconry including season lengths and limits for wildlife other than migratory game birds. See 3 CSR 10-9.440 for falconry permit requirements):

1. Doves may be taken from September 1 through December 16 from one-half (1/2) hour before sunrise to sunset. Daily limit: three (3) doves; possession limit: nine (9) doves, except that any waterfowl taken by falconers must be included within these limits; and

2. Ducks, mergansers, and coots may be taken from sunrise to sunset from September 9 through September 24 statewide, and from one-half (1/2) hour before sunrise to sunset as follows: in the North Zone, October 21 through October 22, October 28 through December 26, and February 11 through March 10; in the Middle Zone, October 21 through October 22, November 4 through November 12, November 18 through January 7, and February 11 through March 10; and, in the South Zone, November 18 through November 19, November 23 through November 26, December 7 through January 31, and February 11 through March 10. Daily limit: three (3) birds singly or in the aggregate, including doves; possession limit: nine (9) birds singly or in the aggregate, including doves.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. This version of rule filed Sept. 24, 1975, effective Oct. 10, 1975. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 3 – DEPARTMENT OF CONSERVATION Division 10 – Conservation Commission Chapter 11 – Wildlife Code: Special Regulations for Department Areas

PROPOSED AMENDMENT

3 CSR 10-11.120 Pets and Hunting Dogs. The commission proposes to remove paragraph (1)(A)2. and renumber the remaining paragraphs.

PURPOSE: This amendment would allow pets on leash on area trails at Cape Girardeau Conservation Nature Center.

(1) Pets and hunting dogs are permitted but must be on a leash or confined at all times, except as otherwise provided by signs, area brochures, or this chapter.

(A) Pets and hunting dogs are prohibited on the following department areas:

1. Burr Oak Woods Conservation Area;
- [2. Cape Girardeau Conservation Nature Center]**
- [3.]2.** Engelmann Woods Natural Area;
- [4.]3.** Powder Valley Conservation Nature Center;
- [5.]4.** Runge Conservation Nature Center;
- [6.]5.** Springfield Conservation Nature Center; **and**
- [7.]6.** White Alloe Creek Conservation Area.

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 11 – Wildlife Code: Special Regulations for
Department Areas

PROPOSED AMENDMENT

3 CSR 10-11.130 Vehicles, Bicycles, Horses, and Horseback Riding. The commission proposes to amend sections (4) and (5) of this rule.

PURPOSE: This proposed amendment allows bicycle use year-round on five (5) additional conservation areas. This amendment would also clarify that bicycle and horseback riding are allowed outside of shooting hours during spring turkey season on thirty-one (31) areas. These thirty-one (31) areas currently allow bicycle and/or horseback riding except during all portions of the firearms deer season and spring turkey hunting seasons; this amendment will allow bicycle and horseback riding after 1 p.m. during spring turkey season.

(4) Designated multi-use trails are open for use year-round as specified on the following department areas:

- (A) Areas with multi-use trails open to bicycling –
1. Big Creek Conservation Area;
 2. Busch (August A.) Memorial Conservation Area;
 3. Columbia Bottom Conservation Area;
 4. Davis (The Lester R.) Memorial Forest;
 - 5. General Watkins Conservation Area;**
 - ~~5.~~**6.** Hart Creek Conservation Area;
 - ~~6.~~**7.** Hinkson Woods Conservation Area;
 - ~~7.~~**8.** Howell Island Conservation Area;
 - ~~8.~~**9.** Klamberg (Roger) Woods Conservation Area;
 - ~~9.~~**10.** Little Dixie Lake Conservation Area;
 - 11. Little Prairie Conservation Area;**
 - ~~10.~~**12.** Logan (William R.) Conservation Area;
 - 13. Perry County Community Lake;**
 - 14. Shepherd of the Hills Fish Hatchery;**
 - 15. Shoal Creek Conservation Education Center;**
 - ~~11.~~**16.** Steyermark (Julian) Woods Conservation Area;
 - ~~12.~~**17.** Sunbridge Hills Conservation Area;
 - ~~13.~~**18.** Walnut Woods Conservation Area;
 - ~~14.~~**19.** Weldon Spring Conservation Area; **and**
 - ~~15.~~**20.** Youngdahl (Mark) Urban Conservation Area.

(5) Designated multi-use trails are open for use as specified except during all portions of the firearms deer hunting season and the spring turkey hunting seasons **during legal shooting hours for turkey** on the following department areas:

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 8, 2023.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment

*with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 12 – Wildlife Code: Special Regulations for
Areas Owned by Other Entities

PROPOSED AMENDMENT

3 CSR 10-12.110 Use of Boats and Motors. The commission proposes to add subsection (2)(X) and re-letter the remaining subsections of this rule.

PURPOSE: This amendment prohibits the use of boats and motors on Osage Beach City Park Lake, a new area under management agreement with the department in the community assistance program (CAP).

(2) Boats are prohibited on the following areas:

- (X) Osage Beach (Osage Beach City Park Lake);**
~~[(X)](Y)~~ Overland (Wild Acres Park Lake);
~~[(Y)](Z)~~ Pleasant Hill (Porter Park Lake);
~~[(Z)](AA)~~ Potosi (Roger Bilderback Lake);
~~[(AA)](BB)~~ Raymore (Johnston Lake);
~~[(BB)](CC)~~ Rolla (Schuman Park Lake);
~~[(CC)](DD)~~ St. Ann (Gendron Lake);
~~[(DD)](EE)~~ St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);
~~[(EE)](FF)~~ St. James (Scioto Lake);
~~[(FF)](GG)~~ St. Joseph (Corby Pond, Krug Park Lagoon);
~~[(GG)](HH)~~ St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake);
~~[(HH)](II)~~ St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Fountain Lake, Island Lake, Jarville Lake, Tilles Park Lake);
~~[(II)](JJ)~~ Sedalia (Liberty Park Pond);
~~[(JJ)](KK)~~ Taos (Taos Countryside Park Lake);
~~[(KK)](LL)~~ Tipton (Tipton Park Lake);
~~[(LL)](MM)~~ Union (Union City Lake);
~~[(MM)](NN)~~ Watershed Committee of the Ozarks (Valley Water Mill Lake); and
~~[(NN)](OO)~~ Wentzville (Community Club Lake, Heartland Lake).

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 8, 2023.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 12 – Wildlife Code: Special Regulations for
Areas Owned by Other Entities

PROPOSED AMENDMENT

3 CSR 10-12.115 Bullfrogs and Green Frogs. The commission proposes to amend paragraph (1)(A)2., add paragraphs (1)(A)6., (1)(A)11., (1)(A)14., (1)(A)15. and renumber the remaining paragraphs of this rule.

PURPOSE: This amendment prohibits the use of bows for taking bullfrogs and green frogs on Columbia (Norma Sutherland Smith Park Lake and Vineyards Park Lake), Jefferson City (Hough Park Lake and McKay Park Lake), Osage Beach City Park Lake, Taos (Countryside Park Lake), Tipton Park Lake, and areas under management agreement with the department in the community assistance program (CAP).

(1) Bullfrogs and green frogs may be taken during the statewide season only by hand, handnet, atlatl, gig, bow, snagging, snaring, grabbing, or pole and line except as further restricted by this chapter.

(A) Bows may not be used to take frogs on the following areas:

1. Blue Springs (Lake Remembrance);
2. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, A. Perry Philips Park Lake, Stephens Park Lake, Twin Lakes, **Norma Sutherland Smith Park Lake, Vineyards Park Lake**);
3. Farmington (Giessing Lake, Hager Lake, Thomas Lake);
4. Fulton (Morningside Lake, Truman Lake, Veterans Park Lake);
5. Jackson County (Prairie Lee Lake);
6. **Jefferson City (Hough Park Lake and McKay Park Lake)**;
- ~~6.~~**7.** Mark Twain National Forest (department-managed portions);
- ~~7.~~**8.** Mexico (Lakeview Lake, Kiwanis Lake);
- ~~8.~~**9.** Moberly (Beuth Park Lake, Rothwell Park Lake, Water Works Lake);
- ~~9.~~**10.** Odessa (Lake Venita);
- 11. Osage Beach (Osage Beach City Park Lake)**;
- ~~10.~~**12.** Pleasant Hill (Pleasant Hill City Lake and Porter Park Lake);
- ~~11.~~**13.** St. James (Scioto Lake); ~~and~~
- 14. Taos (Countryside Park Lake)**;
- 15. Tipton (Tipton Park Lake)**; and
- ~~12.~~**16.** Union (Union City Lake).

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30,

2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 12 – Wildlife Code: Special Regulations for
Areas Owned by Other Entities

PROPOSED AMENDMENT

3 CSR 10-12.135 Fishing, Methods. The commission proposes to add subsections (9)(B) and (9)(J), and re-letter the subsequent subsections of this rule.

PURPOSE: This amendment restricts anglers to one (1) pole and line and prohibits the use of natural or scented baits as chum from November 1 through January 31 at Cape Girardeau (Capaha Park Lake) and Sikeston (Sikeston Recreation Complex Lake), areas under management agreement with the department in the community assistance program (CAP).

(9) From November 1 through January 31, not more than one (1) pole and line may be used by one (1) person at any time and the use of natural or scented baits as chum is prohibited on the following lakes:

- (A) Ballwin (Vlasis Park Lake);
- (B) Cape Girardeau (Capaha Park Lake)**;
- ~~[(B)]~~**(C)** Farmington (Giessing Lake);
- ~~[(C)]~~**(D)** Ferguson (January-Wabash Park Lake);
- ~~[(D)]~~**(E)** Jackson (Rotary Lake);
- ~~[(E)]~~**(F)** Jennings (Koeneman Park Lake);
- ~~[(F)]~~**(G)** Kirkwood (Walker Lake);
- ~~[(G)]~~**(H)** Overland (Wild Acres Park Lake);
- ~~[(H)]~~**(I)** Perry County (Legion Lake 1);
- (J) Sikeston (Sikeston Recreation Complex Lake)**;
- ~~[(I)]~~**(K)** St. Louis (Boathouse Lake, Jefferson Lake, O'Fallon Park Lake);
- ~~[(J)]~~**(L)** St. Louis County (Carp Lake, Island Lake, Tilles Park Lake); and
- ~~[(K)]~~**(M)** Union (Union City Lake).

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state

agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION
Division 265 – Motor Carrier and Railroad Safety
Chapter 8 – Railroads**

PROPOSED AMENDMENT

7 CSR 265-8.018 Signs. The Missouri Highways and Transportation Commission is amending subsection (1)(B).

PURPOSE: This amendment is updating the material incorporated by reference for the **Manual on Uniform Traffic Control Devices for Streets and Highways**.

(1) All crossing warning signs, track switch position indicators, and close clearance-warning signs shall –

(B) Use retroreflectorized material that meets or exceeds the minimum levels specified in the **Manual on Uniform Traffic Control Devices for Streets and Highways** (2009 Edition **including Revisions 1 and 2**), which is incorporated *[herein]* by reference and made a part of this rule as published by the Federal Highway Administration, United States Department of Transportation, 400 7th Street SW, Room 3408, Washington, DC 20590, website: [\[http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm\]](http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm) <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. This rule does not incorporate any subsequent amendments or additions of this manual; and

AUTHORITY: section 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-8.018. Original rule filed May 2, 1991, effective Dec. 9, 1991. Moved and amended: Filed March 9, 2018, effective Oct. 30, 2018. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION
Division 265 – Motor Carrier and Railroad Safety
Chapter 8 – Railroads**

PROPOSED AMENDMENT

7 CSR 265-8.032 Temporary Closing of a Public Grade Crossing. The Missouri Highways and Transportation Commission is amending section (2).

PURPOSE: This amendment is updating the material incorporated by reference for the **Manual on Uniform Traffic Control Devices for Streets and Highways**.

(2) When closing a grade crossing, the railroad shall conform to the requirements for signing, work protection, and detours outlined in the **Manual on Uniform Traffic Control Devices for Streets and Highways** (2009 *[e]* Edition **including Revisions 1 and 2**), which is incorporated by reference and made a part of this rule as published by the Federal Highway Administration, United States Department of Transportation, 400 7th Street SW, Room 3408, Washington, DC 20590, website: [\[http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm\]](http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm) <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. This rule does not incorporate any subsequent amendments or additions of this manual.

AUTHORITY: section 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-8.032. Original rule filed May 2, 1991, effective Nov. 30, 1991. Amended: Filed June 22, 1998, effective Feb. 28, 1999. Moved and amended: Filed March 9, 2018, effective Oct. 30, 2018. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION
Division 265 – Motor Carrier and Railroad Safety
Chapter 8 – Railroads**

PROPOSED AMENDMENT

7 CSR 265-8.080 Railroad-Highway Grade Crossing Warning Systems. The Missouri Highways and Transportation Commission is amending section (1).

PURPOSE: This amendment is updating the material incorporated by reference for the **Manual on Uniform Traffic Control Devices for Streets and Highways**.

(1) The division incorporates by reference in this rule Part 8 of the *Manual on Uniform Traffic Control Devices for Streets and Highways* (2009 [e]Edition **including Revisions 1 and 2**), which is incorporated by reference and made a part of this rule as published by the Federal Highway Administration, United States Department of Transportation, 400 7th Street SW, Room 3408, Washington, DC 20590, website: [http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm] <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. This rule does not incorporate any subsequent amendments or additions of this manual. Part 8, entitled "Traffic Control for Railroad and Light Rail Transit Grade Crossings," establishes standards for the design, installation, and operation of grade crossing warning devices. Unless a specific variance is granted by the division, the standards in Part 8 must be applied in the installation of all grade crossing warning systems in Missouri, except that only twelve- (12-) inch diameter lenses shall be used on flashing light signal units.

AUTHORITY: section 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-8.080. Emergency rule filed June 14, 1985, effective July 1, 1985, expired Oct. 28, 1985. Original rule filed Aug. 1, 1985, effective Oct. 29, 1985. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 7 – MISSOURI DEPARTMENT OF TRANSPORTATION

Division 265 – Motor Carrier and Railroad Safety Chapter 8 – Railroads

PROPOSED AMENDMENT

7 CSR 265-8.130 Grade Crossing Construction and Maintenance. The Missouri Highways and Transportation Commission is amending subsection (1)(C).

PURPOSE: This amendment is updating the material incorporated by reference for the *Manual on Uniform Traffic Control Devices for Streets and Highways*.

(1) Every crossing shall be constructed of materials that will provide a ride quality compatible with that of adjacent roadway surfaces (except that crossings of unconsolidated or asphalt material shall have installed headers of equal height to the top of rails installed on both sides of both rails).

(C) Width of roadway at a highway-railway grade crossing should correspond to that of the adjoining highway and have the same number and width of traffic lanes as the adjoining highway without extra lanes and with center turn lanes

at the crossing delineated. At all paved approaches to the highway-railway grade crossing, the highway traffic lanes in the vicinity of the crossing should be distinctly marked in accordance with the recommendations of the *Manual on Uniform Traffic Control Devices for Streets and Highways* (2009 [e]Edition **including Revisions 1 and 2**), which is incorporated by reference and made a part of this rule as published by the Federal Highway Administration, United States Department of Transportation, 400 7th Street SW, Room 3408, Washington, DC 20590, website: [http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/pdf_index.htm] <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. This rule does not incorporate any subsequent amendments or additions of this manual. These markings are the responsibility of the public authorities.

AUTHORITY: section 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-8.130. Original rule filed Jan. 5, 1989, effective April 27, 1989. Amended: Filed May 2, 1991, effective Dec. 9, 1991. Moved and amended: Filed March 9, 2018, effective Oct. 30, 2018. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 7 – MISSOURI DEPARTMENT OF TRANSPORTATION

Division 265 – Motor Carrier and Railroad Safety Chapter 8 – Railroads

PROPOSED AMENDMENT

7 CSR 265-8.300 Railroad Safety Applications (Other Than Railroad-Highway Crossings). The Missouri Highways and Transportation Commission is amending the purpose statement and section (1).

PURPOSE: This amendment revises and simplifies the required form and content for applications regarding railroad safety matters other than those involving railroad-highway crossings.

PURPOSE: This rule prescribes the required form and content for applications [for relief involving] **regarding** railroad safety matters other than those involving railroad-highway crossings.

(1) Except as otherwise provided under 7 CSR 265-8.320, persons other than division staff filing applications for a commission order[s involving] **relating to** railroad safety matters shall file [in writing an original] a completed application with the director of the division, in accordance with this section that includes at least the following information:

(B) The identity, address, and, if known, the telephone number of all known parties in interest, for example, the

railroads, funding authorities, shippers, labor unions, or other persons or groups affected by the proposed relief **requested from the division**;

(C) Location and description of the existing tracks, switches, yards, or other facilities to be affected by the proposed **safety improvement** or relief and the circumstances presently existing there;

(D) Description of the proposed improvements or other specific relief *[requested from the division. If applicable,]* **including** detailed plans and specifications *[for the proposed improvements should be attached as Exhibit 1, if applicable;*

(E) Estimated costs of the proposed improvement or resulting from the proposed relief, *including detailed cost estimates attached as Exhibit 2;*

(F) **Any executed agreement or similar document between the parties regarding** *[W/who should perform the proposed work, if any, and who should pay the costs of the proposed improvements or resulting from the proposed relief, and in what proportions]. If there is any agreement as to payment of the anticipated costs, it should be attached as Exhibit 3;*

(G) Estimated time for completion of the proposed improvements or implementation of the proposed relief, *and the expected completion date;*

(H) Detailed statement *[of the specific reasons]* **as to why the proposed improvement should be approved or the proposed relief** *[should be]* granted;

(I) Statement of whether the applicant **and interested parties** waive[s] a hearing, and will submit the case to the division for a decision *[upon the verified pleadings and other evidence of record, if no other party requests hearing];*

(J) Date and signature of the applicant or the applicant's authorized representative, *and the signature, name (typed or printed), address, and telephone number of the applicant's attorney, if any;* and

(K) Verification under *[oath or]* penalty of perjury.

AUTHORITY: section 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-2.300. Original rule filed Nov. 4, 1992, effective July 8, 1993. Moved and amended: Filed March 9, 2018, effective Oct. 30, 2018. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**TITLE 7 – MISSOURI DEPARTMENT OF
TRANSPORTATION
Division 265 – Motor Carrier and Railroad Safety
Chapter 8 – Railroads
PROPOSED AMENDMENT**

7 CSR 265-8.320 Railroad-Highway Crossing Applications. The Missouri Highways and Transportation Commission is amending the purpose statement and section (1).

PURPOSE: This amendment revises and simplifies the required form and content for applications regarding railroad-highway crossings.

PURPOSE: This rule prescribes the required form and content for applications [for relief involving] regarding railroad-highway crossings, at grade or otherwise.

(1) Persons other than division staff filing applications for a commission order relating to the location, construction, installation, operation, maintenance, apportionment of expenses, use, warning devices, alteration, relocation, reconstruction, separation of grades, abolishment, or closure of a railroad-highway crossing, at grade or otherwise, shall file *[in writing]* an *[original]* application with the director of the division in accordance with this section *[and 7 CSR 265-8.071]* that includes at least the following information:

(B) The identity, address, and, if known, the telephone number of every party in interest, including, if applicable, the railroad(s) owning and operating over the tracks at the crossing, the entity(ies) maintaining each highway at the crossing and other entities participating in the funding of the proposed construction, safety improvements, or other relief requested **from the division**;

(D) The location and description of each railroad at each crossing affected by the application, including, whenever applicable:—

1. Name of railroad corporation which owns the track;
2. Division;
3. Subdivision;
4. Milepost;
5. Number and types of track;
6. Width of railroad and railroad right-of-way at the crossing;
7. Names of all other railroads operating over the crossing;
8. Number and type of train movements over the crossing (daily, if known);
9. **Maximum** *[T]*train speed *[limit]*;
10. Location and description of any obstructions to motorists' view of approaching trains;

(F) *[Statement of whether there is a]* **Any executed agreement or similar document between the parties** *[in interest with reference to]* **regarding who should perform the proposed work and who should pay the costs of** the proposed construction, safety improvements, or other relief, *[or with reference to the proposed allocation of costs with a copy of the executed agreement, if applicable, attached as Exhibit 1] and in what proportion;*

(G) Description of the proposed construction, safety improvements, or other relief *[requested, and who should be ordered to perform the same with a copy of]*, **including** detailed plans and specifications *[for the proposed construction, safety improvements, or other relief requested attached as Exhibit 2, if applicable;*

(H) Detailed estimated costs of the proposed construction, safety improvements, or other relief *[requested, the party that should be ordered to pay these costs, the federal, state, political subdivision, and/or private funds available for the crossing costs, and how the costs should be allocated between these payers. These detailed cost estimates for the proposed construction, safety improvements, or other relief shall be attached to the application as Exhibit 3;*

(I) Estimated time for completion of the proposed

construction or safety improvements *[and]* or for implementation of *[other]* the proposed relief *[requested and for the payout of funds. If interim payments are requested, the application should so state and include details concerning the amounts and conditions upon which the interim payments shall be paid out];*

(J) Detailed statement *[of the specific reasons]* why the proposed construction or safety improvements should be approved or the proposed relief *[should be]* granted;

(K) Statement of whether the applicant and all interested parties waive[s] a hearing*[,] and will submit the case to the division for decision [upon the verified pleadings and other evidence of record, if no other party requests a hearing];*

(L) Date and signature of the applicant or the applicant's authorized representative*[,] and the signature, name (typed or printed), address, and telephone number of the applicant's attorney, if any];* and

(M) Verification under *[oath or]* penalty of perjury.

AUTHORITY: section 622.027, RSMo 2016. This rule originally filed as 4 CSR 265-2.320. Original rule filed Nov. 4, 1992, effective July 8, 1993. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 8, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 9 – DEPARTMENT OF MENTAL HEALTH

Division 30 – Certification Standards

Chapter 3 – Substance Use Disorder Prevention and Treatment Programs

PROPOSED AMENDMENT

9 CSR 30-3.192 [Specialized] Comprehensive Substance Treatment and Rehabilitation (CSTAR) Program for Adolescents. The department is adding new sections (1), (3), (4), and (13), deleting sections (2), (11), and (12), amending the purpose, and renumbering remaining sections.

PURPOSE: This amendment updates terminology and requirements for adolescent CSTAR programs including age criteria, notification procedures for registered offenders and juvenile sex offenders, eligibility criteria, treatment principles, education, and services provided in schools.

PURPOSE: This rule establishes requirements *[relative to specialized substance abuse programs for adolescents]* for certified/deemed certified CSTAR programs for adolescents.

(1) Other Regulations. Adolescent CSTAR programs shall

comply with 9 CSR 10-7 Core Rules for Psychiatric and Substance Use Disorder Treatment Programs, 9 CSR 10-5 General Program Procedures, and 9 CSR 30-3 Substance Use Disorder Prevention and Treatment Programs, as applicable.

[(1)](2) Age Criteria *[for Adolescents]*. The program shall provide treatment, rehabilitation, and other services solely to *[clients between the ages of twelve through seventeen (12-17) years inclusive and their families]* individuals age nine through seventeen (9-17) and their family members/natural supports, as appropriate. Services in a residential setting shall be available for individuals age twelve through seventeen (12-17).

(A) Exceptions to *[these]* the age requirements may be authorized through the department's clinical *[utilization]* review process *[for those individuals in which there is justification and documentation of behavior and experience appropriate for the services available].*

[(2) Other Eligibility Criteria. The level of care and treatment setting for adolescent services shall be based on problem severity ratings in the following domains:

(A) Substance Abuse Patterns/Withdrawal Risk. This includes factors such as recent use patterns (substances used, frequency, amount, method of administration), consequences of use, progression, tolerance, and withdrawal risk;

(B) Physical Health. This includes physical health conditions that require ongoing care and that may be a factor in treatment planning;

(C) Emotional/Behavioral Functioning. This includes factors such as suicidal ideation or plans, aggressiveness, severe conflict with others, recent running away from home; co-occurring psychiatric disorders, and need for continuous supervision;

(D) Acceptance/Resistance. This includes factors such as blaming others, willingness to acknowledge problems, and attempts to stop or cut back substance use;

(E) Abstinence Potential. This includes factors such as substance use in the past thirty (30) days, longest period of abstinence in the past six (6) months, impulsiveness, general ability to follow through with appointments and responsibilities;

(F) Recovery Environment. This includes factors such as non-using friends, involvement in non-using activities, school attendance and performance, geographic access to treatment services, and involvement of other persons or agencies to support recovery; and

(G) Family/Caregiver Functioning. This includes factors such as appropriateness of rules and consequences, availability of supervision, presence of others in the household with active substance abuse, emotional and psychiatric functioning of caregivers, ability and willingness to participate in the treatment and recovery process.]

(3) Registered Sex Offenders and Youth Identified on the Juvenile County Registry. Prior to admission, program staff shall verify whether the individual is registered as a juvenile sex offender in the county in which they reside pursuant to section 211.425, RSMo, or is identified as an offender on the Missouri State Highway Patrol (MSHP) sex offender registry pursuant to sections 589.400-589.425, RSMo.

(A) If the individual is an identified juvenile sex offender on the juvenile county sex offender registry, admission to the CSTAR program can be considered.

(B) If the individual is an identified offender on the MSHP

sex offender registry, admission to the CSTAR program shall not be made.

(C) All results of verification with the county juvenile sex offender registry or MSHP sex offender registry, as well as decisions related to program admission, shall be documented and a record of communication to the individual's parent/guardian and referral source(s), as applicable, shall be maintained by the program.

1. If the parent/guardian disagrees with a decision of ineligibility for admission, they shall be informed of the grievance process of the CSTAR program.

(D) If the individual is not admitted to the program within sixty (60) days after program staff have conducted verification of the county juvenile sex offender registry, staff are responsible for rechecking the registry prior to admission. Rechecking the registry is always an option and should be completed any time there is a concern, even when the sixty (60) days have not yet passed.

(E) The MSHP registry is updated in real time and should be checked any time the sixty (60) days has passed.

(4) **Eligibility Criteria and Level of Care.** The program shall comply with 9 CSR 30-3.151 Eligibility Determination, Assessment, and Treatment Planning in CSTAR Programs, to ensure individuals are placed in the appropriate level of care and receive individualized services.

[(3)](5) **Treatment Principles and Therapeutic Issues Relevant to Adolescents.** The program shall address therapeutic issues relevant to adolescents and shall address their specific needs. The following principles and methods shall be reflected in services delivered to adolescents:

(A) Adolescents are *[best]* effectively treated in *[settings]* therapeutic environments that are programmatically and physically separate from treatment services for adults;

(B) Services shall maintain *[youth]* individuals in the family and community setting, *[whenever clinically feasible]* as clinically appropriate;

(C) Services shall *[support the family and engage the family in a recovery and change process, whenever appropriate]* involve parents/guardian and other family members/natural supports in the treatment and recovery process, when clinically appropriate. If *[the parent(s) are not an available and appropriate resource]* the caregivers are not available, program staff shall assist in developing alternate social and family/natural support systems for the adolescent;

(D) Services to *[the]* family members/natural supports shall be directed to understanding and supporting the *[youth's]* adolescent's recovery *[process]* and resiliency, identifying and intervening with *[parental substance abuse problems]* any behavioral health needs of their caregiver(s), improving parenting skills and communication skills within the family *[and assisting the family in improving its level of functioning]* or with other caregivers/natural supports, and facilitating improved family function;

(E) A cooperative team approach shall be utilized in order to provide a consistent *[environment and therapeutic milieu]* therapeutic environment;

[(F)] *Cooperation with other youth-serving agencies shall be demonstrated in order to ensure that needs of youth in treatment are met and that services are coordinated. Coordination of service needs are critical with youth due to their involvement with other community agencies and reliance on the family, as well as the fact that substance abuse affects multiple life areas; and*

(G) *Service delivery shall address—*

1. *Recovery issues such as peer relationships, use of leisure time, and abuse and neglect;*

2. *Skill development such as decision-making and study skills; and*

3. *Information and education regarding adolescent developmental issues and sexuality.]*

(F) Effectively treating substance use disorders in adolescents requires identifying and treating other co-occurring conditions they may have;

(G) Services shall be coordinated with the juvenile justice system, children's services, and other community agencies to ensure the needs of individuals are met;

(H) Staff shall possess the knowledge and expertise to engage adolescents with histories of trauma, recognize the presence of trauma symptoms, understand the role of trauma in the lives of adolescents, and conduct themselves in ways that are not retraumatizing to those being served;

(I) Issues such as violence, child abuse, and risk of suicide shall be identified and addressed;

(J) Communicable disease counseling and testing for sexually transmitted infections, such as HIV and hepatitis B and C, are important aspects of adolescent treatment (refer to 9 CSR 30-3.110(C) for service delivery requirements). Testing may be waived if parent/guardian consent is not obtained and is documented, as applicable to the individual served; and

(K) Service delivery shall address recovery/resiliency skill development including, but not limited to—

1. Substance use prevention and education;

2. Assertiveness training;

3. Conflict resolution skills;

4. Emotional regulation;

5. Social network development;

6. Leisure time management;

7. Problem-solving skills;

8. Adolescent development;

9. Sexual health; and

10. Trauma.

[(4)](6) **[Living Arrangements] Treatment Setting.** Adolescents may *[be served from]* receive substance use disorder treatment services in a variety of *[living arrangements]* settings including[,] but not limited to[,] the following:

(A) Home of the parent/guardian;

(B) Foster home;

(C) Residential settings operated by the CSTAR program;

(D) Juvenile detention (services are not reimbursable by Medicaid);

(E) Other supervised living arrangements; *[or]*

(F) Independent living[.]; and

(G) School.

[(5)](7) **Family Involvement.** Each adolescent's living arrangement and family situation shall be reviewed by program staff in order to identify needs and to develop treatment goals and recovery supports for the adolescent and *[the family]* their family members and/or other natural supports.

(A) This review shall be *[done]* conducted by a *[family therapist]* licensed mental health professional (LMHP) or a qualified addiction professional (QAP) or qualified mental health professional (QMHP) who is under the supervision of an LMHP.

(B) Refusal by the *[family]* caregiver for an in-home *[assessment]* visit shall not constitute automatic denial of treatment services for the *[adolescents]* individual.

(C) The program shall actively involve family members/natural supports in the treatment process including educational and counseling sessions and transfer and discharge planning, unless contraindicated for legal or clinical reasons which are documented in the *[client]* individual record. Efforts to involve family members/natural supports, and any reasons for lack of participation, shall be included in documentation.

(D) Staff shall orient the parent or legal guardian regarding –

1. Treatment philosophy and design;
2. Discipline and any *[behavioral management techniques]* emergency safety interventions used by the program;
3. Availability of staff to conduct home-based treatment and community support services;
4. Emergency medical procedures; and
5. Expectations about ongoing *[family]* participation by family members/natural supports.

[(E) Staff shall seek family participation in treatment planning, service delivery and continuing recovery planning.

1. Services may include family participation in educational and counseling sessions.

2. Family participation in treatment planning shall be documented in the client record. In the event that the family does not participate, then staff shall document efforts to involve the family and reasons why the family did not participate.]

[(6)](8) Educational and Vocational Opportunities. The program shall [assist the adolescent and parent/guardian as necessary to ensure educational and/or vocational opportunities during treatment] have established partnerships with local school district(s) to ensure individuals' academic and vocational needs are met in accordance with their Individual Education Program (IEP) and/or 504 Plan.

(A) For youth enrolled in American Society of Addiction Medicine (ASAM) Level 1, Level 2.1, or Level 2.5, certain CSTAR services may be provided within the school setting. An agreement for the provision of such services must be arranged by the CSTAR provider and their local school district(s). *The ASAM Criteria: Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions*, 3rd Edition, 2013, is hereby incorporated by reference and made a part of this rule as published by and available from The American Society of Addiction Medicine, 11400 Rockville Pike, Suite 200, Rockville, MD 20852, (301) 656-3920. This rule does not incorporate any subsequent amendments or additions to this publication.

(B) CSTAR services delivered in the school setting are limited to three (3) hours, twelve (12) units per week total.

(C) CSTAR services that may be delivered in school settings are limited to the following:

1. Comprehensive assessment;
2. Community support;
3. Individual counseling;
4. Group counseling;
5. Group rehabilitative support;
6. HIV pre-testing and post-testing counseling;
7. Medication services support;
8. Family therapy/conference; and
9. Peer support.

[(7)](9) Privilege System. [Any system used by the program to modify behavior by requiring certain behaviors to earn privileges or restricting privileges (that is, step-down program) for failure to comply with requirements shall be defined in writing, stated in behavioral terms to the extent possible, and applied consistently to all clients] Any system used

by the program that encourages/rewards appropriate behaviors or restricts privileges in response to an individual exhibiting impermissible behaviors must be trauma sensitive, defined in writing, stated in behavioral terms to the extent possible, and applied consistently to all individuals.

[(8)](10) Safety and Health. The program shall maintain a safe, healthy environment which is responsive to the behavioral and physical [and medical] health needs of adolescents.

(A) Adolescents shall be prohibited from *[smoking]* using tobacco or products containing nicotine on the premises, grounds, and any off-site program functions with the exception of prescribed nicotine replacement therapies with parent/guardian consent.

(B) *[For adolescents receiving residential support, the program must provide or arrange for a history and physical examination performed by a physician licensed in Missouri or a nurse practitioner licensed and authorized to title and practice as an advanced practice nurse pursuant to 335.016, RSMo and who is engaged in a written collaborative practice arrangement as defined by law. Registered nurses may still conduct initial health screenings upon admission to a residential support setting, but this screening does not satisfy the requirement for a history and physical examination as defined above] Physical examinations shall be completed as specified in 9 CSR 30-3.152.*

(C) The program shall demonstrate effective collaborative working relationship(s) with *[a physician] local healthcare providers, hospital(s), [and/or] urgent care clinic(s), and other community resources* to provide *[medical] physical health care* for adolescents, as needed.

[(9) Staff Training and Supervision. Service delivery staff shall—

(A) Have training and demonstrate expertise regarding the treatment of both substance abuse and other disorders related to adolescents; and

(B) Receive clinical supervision by an appropriately licensed, certified, or otherwise credentialed person with experience in the treatment of adolescents.

(10) Structured Activities Available to Adolescents Living in a Residential Setting. In addition to treatment services, adolescents living in a residential setting operated by the program shall have their awake time structured in activities, such as academic education, completing assignments, attendance at self-help groups, family visits, and positive leisure.

(11) Staffing Patterns in a Residential Facility. The following minimum client to staff ratios shall be maintained at all times adolescents are present in a residential facility—

(A) At a facility with six (6) residents or less, one (1) staff member must be providing supervision of clients during program hours and also during designated client sleeping hours;

(B) At a facility with seven through twelve (7–12) residents, two (2) staff members must be providing supervision of clients during program hours and also during designated client sleeping hours;

(C) At a facility with thirteen through sixteen (13–16) residents, three (3) staff members must be providing supervision of clients during program hours, with a required ratio of two (2) staff during designated client sleeping hours; and

(D) At a foster home funded by the department, a foster parent must provide or arrange for appropriate supervision of the adolescent(s) at all times.

(12) If the adolescent residential support facility serves a coed population, the staffing pattern shall include at least one (1) female and at least one (1) male staff member any time residents are present. If residential support is provided for girls only, a female staff member must be present at all times. If residential support is provided for boys only, a male staff member must be present at all times.]

(11) Staff Training and Supervision. The program shall comply with *The ASAM Minimum Staffing Standards for Department of Mental Health*, September 2022, hereby incorporated by reference and made a part of this rule, developed by and available from the Department of Mental Health, 1706 E. Elm St., PO Box 687, Jefferson City MO 65101, (573) 751-4942, <https://dmh.mo.gov/media/pdf/dbh-asam-minimum-staffing-requirements>. This rule does not incorporate any subsequent amendments or additions to this publication.

(12) Structured Activities. In addition to treatment services, individuals receiving services in a residential level of care shall participate in structured activities during daytime and evening hours such as academic education, completing assignments, self-help groups, family visits, and positive leisure activities.

(13) Staffing Patterns in Residential Levels of Care. Programs shall comply with *The ASAM Minimum Staffing Standards for Department of Mental Health*, September 2022, hereby incorporated by reference and made a part of this rule, developed by and available from the Department of Mental Health, 1706 E. Elm St., PO Box 687, Jefferson City MO 65101, (573) 751-4942, <https://dmh.mo.gov/media/pdf/dbh-asam-minimum-staffing-requirements>. This rule does not incorporate any subsequent amendments or additions to this publication.

(A) If the program serves a mixed-gender population in residential levels of care, the staffing pattern shall include at least one (1) female and at least one (1) male staff member any time individuals are present.

(B) If a residential level of care is provided only for individuals of the female gender, a female staff member must be present twenty-four (24) hours per day, seven (7) days per week.

(C) If a residential level of care is provided only for individuals of the male gender, a male staff member must be present twenty-four (24) hours per day, seven (7) days per week.

1. Refer to 9 CSR 10-7.010(4)(A)7. and 9 CSR 10-7.020(3)(A)4., related to service delivery practices that are responsive to individual needs.

AUTHORITY: sections 630.050, 630.655 and 631.010, RSMo [2000] 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. Amended: Filed April 15, 2002, effective Nov. 30, 2002. Amended: Filed July 29, 2002, effective March 30, 2003. Amended: Filed Sept. 14, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in

support of or in opposition to this proposed amendment with the Missouri Department of Mental Health, Denise Thomas, PO Box 687, Jefferson City, MO 65102 or by email to denise.thomas@dmh.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

TITLE 9 – DEPARTMENT OF MENTAL HEALTH
Division 40 – Licensing Rules
Chapter 4 – Behavioral Health Community
Residential Programs

PROPOSED AMENDMENT

9 CSR 40-4.001 Program and Staffing Requirements. The department is amending sections (3), (4), (5), and (7) of this rule.

PURPOSE: This amendment updates terminology, clarifies staff supervision requirements, and adds a provision to allow a licensed practical nurse (LPN) to provide nursing oversight and coordination under specific circumstances as specified in the regulation.

(3) Program Structure. **Community [R]**residential programs provide a high level of services, structure, oversight, and support for adults with serious mental illness who are transitioning from an inpatient psychiatric hospital to the community, or are at risk of returning to inpatient care due to their clinical status or need for increased support. An extensive array of medically necessary services are provided *[in the individual's natural home in the community]* to assist *[with his or her]* the individual in managing their psychiatric symptoms, **co-occurring disorders**, functional deficits, and problematic behaviors.

(A) Supports and rehabilitation services related to an individual's needs for activities of daily living and crisis prevention and intervention must be provided. Rehabilitation services may be available on-site and in the community to promote *[psychiatric]* recovery and a reduction in symptoms in order for each individual to progress toward more independent living.

1. Service supports for community activities shall be made available which are separate and distinct from intensive residential treatment settings (IRTS) and psychiatric individualized supported living (PISL) services provided on-site. When individuals participate in community services and activities away from the residential site, staffing requirements shall be maintained on-site in accordance with paragraph (5)(A)1.-2. of this rule.

(B) All individuals receiving services/supports must have an individual treatment plan (ITP) developed by staff of the administrative agent or affiliate involved in their care and shall receive services in accordance with 9 CSR 40-1.075 Person-Centered Services.

1. A copy of each individual's current ITP and crisis prevention plan shall be maintained in a manner so they are readily accessible to staff working in the program. Documentation must indicate program staff are knowledgeable about each individual's treatment plan and crisis prevention plan.

(C) Each residential program shall be structured to ensure safety and prevent the individual's *[return to]* need for a more restrictive setting. The type of program is based on individual

needs for supervision and oversight, tolerance for interactions with other individuals, and the ability to participate in and benefit from other community-based interventions.

(E) Intensive ~~[R]residential~~ ~~[T]treatment~~ ~~[S]etting~~ (IRTS) provides service and supports for five (5) to sixteen (16) adults ~~[in their natural home]~~ and is most appropriate for individuals who –

1. Can tolerate regular interaction with their peers, but have significant difficulties with activities of daily living;

2. May require around-the-clock observation and oversight; and/or

3. Require periodic redirection from staff to avoid behaviors potentially harmful to themselves or others.

A. Each individual served in an IRTS shall have a private, single bedroom unless staff of the administrative agent or affiliate provide adequate justification to the department for shared rooms. Single bedrooms must meet requirements for square footage as specified in 9 CSR 40-1.085(5)(A)1.

(4) Staffing. Each residential program shall have a director who is responsible for making decisions regarding program operations. The director shall delegate a staff person to act on his/her behalf when unavailable. **Oversight of the program must be provided by a qualified mental health professional (QMHP) as defined in 9 CSR 40-1.015(2)(TT).**

(B) Staff must be systematically trained to provide intensive interventions and supports to reduce the symptoms of mental illness ~~[and intervene and redirect individuals in a psychiatric crisis who are exhibiting behaviors potentially dangerous to themselves or others]~~ and co-occurring disorders. **Training shall include interventions to redirect individuals in a psychiatric crisis who are exhibiting behaviors potentially dangerous to themselves or others.**

(5) Supervision of Individuals Served. Staff supervision of individuals being served in the program shall be provided in accordance with their assessed needs as documented in the ITP. A system must be in place to ensure each individual is monitored in accordance with his or her ITP. **Services and [M] monitoring shall be documented.**

(A) Twenty-four (24) hour protective oversight shall be provided as follows:

1. PISL programs shall have at least one (1) staff person on duty **at the residential setting** who is dressed and awake twenty-four (24) hours per day, seven (7) days per week; and

2. IRTS shall have at least one (1) staff person on duty **at the residential setting** during the day and evening shifts for every eight (8) individuals receiving services, and one (1) staff person on duty **at the residential setting** who is dressed and awake during the night shift for every sixteen (16) individuals served.

(E) Staffing requirements shall be maintained at all times at the residential site.

(7) Nursing Services. A licensed **registered nurse** (RN) shall be on-site in PISL and IRTS programs a minimum of four (4) hours per week to provide oversight and coordination of nursing and medical protocols and individual needs.

(A) On-site nursing oversight and coordination may be performed by a licensed practical nurse (LPN) for a minimum of eight (8) hours per week in lieu of the on-site RN under the following circumstances:

1. An RN is available to the LPN and other program staff for consultation and is able to respond on-site, if needed, in the event an individual experiences a change of condition. The staffing plan shall reflect availability of the

RN, including location and proximity to the program; and

2. The LPN consults with an RN on a monthly basis, at a minimum, regarding observations and findings regarding physicians' orders, medication administration trends and patterns, health conditions, and care processes for individuals served. Observations and findings reviewed must be documented in each individual's records and include the dated signature and credentials of the RN providing the consultation or dated signature of the LPN indicating the name of the consulting RN.

AUTHORITY: sections 630.050 and 630.705, RSMo 2016. Original rule filed May 14, 2020, effective Dec. 30, 2020. Amended: Filed Sept. 14, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Mental Health, Denise Thomas, PO Box 687, Jefferson City, MO 65102 or by email to denise.thomas@dmh.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

TITLE 9 – DEPARTMENT OF MENTAL HEALTH

Division 40 – Licensing Rules

Chapter 6 – Family Living Arrangements

PROPOSED AMENDMENT

9 CSR 40-6.001 Provider Requirements and Program Structure. The department is adding new section (5).

PURPOSE: The department is adding dietary requirements specific to Family Living Arrangements (FLA).

(5) Dietary Requirements. 9 CSR 40-1.080 Dietary Services is waived. FLAs shall ensure the following dietary requirements are met:

(A) Proper diet and food preparation shall be addressed as part of the individualized planning process;

(B) Individuals who prepare their own meals or help with meal preparation shall be assisted, as needed;

(C) Individuals shall be supported in developing meal plans and grocery lists and educated and assisted, as needed, in order to meet any special dietary requirements;

(D) Individuals shall be assisted and educated about purchasing, preparing, and safely storing food and drinks in a manner that prevents spoilage and contamination;

(E) Documented consultation with a licensed dietitian or registered nurse must take place at least annually for individuals with special diets;

(F) Documented staff training regarding specialized diets, as applicable;

(G) A balanced variety of healthy foods and drinks, with opportunities for choice, shall be available to individuals each day, and ready access to nutritious snacks shall be available at all times;

(H) Consideration shall be given to the food habits, personal, cultural, religious preferences, and medical needs of individuals served, including provisions for special diets for medical reasons;

(I) When individuals require blended food, the food shall be prepared, measured, and served individually and not mixed together;

(J) The consistency and texture of food shall meet each individual's needs. Individuals shall not be fed in a prone position;

(K) Individuals requiring liquid or soft diets shall be provided with nourishing, supplementary food between meals to meet their nutritional needs;

(L) Meals may be served family style to provide a home-like atmosphere;

(M) A sufficient number of appliances and equipment shall be available for food preparation including but not limited to a stove and refrigerator, dishes, cookware, and utensils to meet the needs of individuals served. All equipment must be in safe and good operating condition and food preparation areas, appliances, and equipment shall be cleaned and sanitized after each use; and

(N) The temperature of hot water at all faucets accessible to individuals served must be controlled by a thermostatic mixing valve or other means so the water temperature does not exceed one hundred twenty degrees Fahrenheit (120°F), unless individuals served can self-regulate water temperature.

AUTHORITY: sections 630.050 and 630.705, RSMo 2016. Original rule filed May 14, 2020, effective Dec. 30, 2020. Amended: Filed Sept. 14, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Mental Health, Denise Thomas, PO Box 687, Jefferson City, MO 65102 or by email to denise.thomas@dmh.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 20 – Clean Water Commission
Chapter 6 – Permits

PROPOSED AMENDMENT

10 CSR 20-6.030 Disposal of Wastewater in Residential Housing Developments. The department is amending the purpose statement and sections (1), (2), (3), and (7), deleting section (6), and renumbering as necessary.

PURPOSE: This amendment will assist individuals who purchased a lot or lots within a residential housing development, when the developer had not received written approval from the department for the method of wastewater treatment in accordance with this rule.

PURPOSE: This rule sets forth requirements for developers of residential housing to determine the method of wastewater disposal. This rule applies to all new residential housing developments and existing subdivisions that were required to comply with previous regulations which were effective June 30, 1974, June 26, 1975, [or] May 15, 1984, or March 30, 1999, but have not received department approval.

(1) General Requirements.

(A) Definitions.

1. Definitions as set forth in the Missouri Clean Water Law and 10 CSR 20-2.010 shall apply to those terms when used in this rule.

2. Common promotional plan. A plan, undertaken by one (1) or more persons, to offer **individual lots or residential housing units within a residential housing development** for sale or lease; where land is offered for sale or lease by a person or group of persons acting in concert, and the land is contiguous or is known, designated, or advertised as a common unit or by a common name or similar names, the land is presumed, without regard to the number of lots or residential housing units covered by each individual offering, as being offered for sale or lease as part of a common promotional plan. **State and county roads are not considered property boundaries.**

3. Developer. Any person or group of persons who, directly or indirectly, sells or leases or offers to sell or lease, any lots, **residential housing units, or recreational camping sites**, but *[shall]* not to include any licensed broker or licensed salesman who is not a shareholder, director, officer, or employee of a developer and who has no legal or equitable interest in the land.

4. Limiting layer. Any soil horizon that will severely limit the soil's ability to treat or dispose of effluent. The limiting layer may include a restrictive horizon[,] or permanent or seasonal high water table as defined in 19 CSR 20-3.060(1)(A).

5. Lot. Any portion, piece, division, unit or undivided interest in real estate, if the interest includes the right to the exclusive use of a specific portion of real estate, whether for a specific term or in perpetuity.

6. Residential housing development. Any land which is divided or proposed to be divided into three (3) or more lots, whether contiguous or not, for the purpose of sale or lease as part of a common promotional plan.

(B) **Applicability.** Unless specifically provided otherwise, this rule shall apply to any developer who owns or controls land and –

1. Develops or divides land into residential housing lots;

2. Resubdivides land into more lots, adds additional lots to which when added to an existing group of lots which are contiguous, or which are known, designated or advertised as a common unit or by a common name, as part of a common promotional plan, will in total constitute a residential housing development; and

3. Any expansion of three (3) or more lots in any subdivision or development will be subject to this rule.

(C) **Exemptions.** The following subdivisions or residential housing developments are exempted:

1. Subdivisions in which control of more than twenty percent (20%) of the lots was permanently relinquished prior to July 1, 1974;

2. Subdivisions which were approved or exempted by the department under the subdivision regulations which were effective June 30, 1974, June 26, 1975, [or] May 15, 1984, or **March 30, 1999**;

3. Residential housing developments with less than

fifteen (15) lots[,] in existence prior to *[the effective date of this rule]* **March 30, 1999;**

4. Lots of five (5) acres and larger in residential housing developments;

5. Residential housing developments located in areas where the department has determined that the local administrative authority has a local program sufficient to meet the goals of this rule;

6. If a developer proposes a centralized wastewater collection and treatment system, the requirements of this rule shall be considered met, provided that all other requirements of the Missouri Clean Water Law and regulations can be satisfied and continuing authority, in accordance with 10 CSR 20-6.010, will be established prior to the sale or lease of lots or the commencement of construction of residences; and

7. Recreational developments will be subject to section (5) of this rule.

(D) **Approval.** Unless exempted in this rule, the developer of any residential housing development shall obtain approval from the department for the method of sewage treatment and disposal to be used in the development prior to the sale or lease of any lot[,] or the commencement of construction on any lot by the developer or any person. To obtain approval the developer must submit to the appropriate DNR office a copy of the geohydrologic evaluation, the soils report, and the plat map as described in this rule.

1. The developer may apply for approval to use individual on-site systems in the proposed development provided that the minimum lot size is forty thousand (40,000) square feet. For residential housing developments with lots of less than forty thousand (40,000) square feet[,] (0.92 acres), only centralized sewage collection and treatment are acceptable for the development. However, this minimum lot size does not apply to residential housing developments that do not require approval. Construction and operating permits will be required for central sewage collection and treatment systems.

2. Only residential housing developments with seven (7) or more lots must receive approval for the method of sewage treatment and disposal prior to the sale or lease of any lots.

(E) Alternative Determination.

1. An alternative determination can be requested for a lot or group of lots that were conveyed to a person who is not defined as a developer and that lot is within a residential housing development that was in existence prior to April 30, 2024, and was required to receive written approval for the method of wastewater treatment under this rule but did not.

2. An alternative determination under this rule should not be construed as an exemption, waiver, or approval for the method of wastewater treatment but as a process to address noncompliance. The department will send a written acceptance or rejection of the application for alternative determination, as well as information regarding the decision.

3. An alternative determination can be given for a lot or group of lots where an on-site wastewater treatment system was installed when it can be demonstrated to the department that the installation of the system was permitted by the appropriate state or local on-site wastewater administrative authority following the criteria contained in their regulations effective at the time of installation and that there is no violation of the Missouri Clean Water Law or its regulations including, but not limited to, the surfacing of effluent on an individual lot or the discharge of effluent to waters of the state.

4. An alternative determination can be given for

an undeveloped lot or group of lots that had been conveyed to a person not defined as a developer, but the determination does not guarantee that the state or local on-site wastewater authority will issue a permit to construct an on-site wastewater treatment system under their current regulations.

5. Information that will aid the department when making an alternative determination should include, but is not limited to, county name; developer's name and contact information; development's name; physical location-section, township and range, latitude and longitude, or physical address; current plat on file with the County Recorder's Office; lot size; nature of use; reported water supply; available documentation related to the installation of the on-site wastewater treatment system if installed; site specific soils documentation if available; and other applicable documentation. If available, this information is to be provided by the requester.

6. As part of an alternative determination, the department may request that the Missouri Geological Survey conduct a geohydrologic evaluation for the lot(s) conveyed to a person who is not defined as a developer.

7. Alternative determinations will include information concerning proper operation and maintenance of an on-site wastewater treatment system as well as ways to identify a failing system. A lot owner shall notify the state or local on-site wastewater administrative authority when an on-site system is failing and shall address any malfunction(s) within a time set by the applicable administrative authority to minimize impacts to public health and the environment.

8. The lot(s) still under the control of a developer within a residential housing development, that was required to receive written approval for the method of wastewater treatment but did not, shall remain subject to the criteria contained in other sections and subsections of this rule.

(2) Geohydrologic Evaluation.

(A) All developers required to abide by this rule shall apply for a geohydrologic evaluation pertaining to the use of on-site wastewater treatment facilities from the Department of Natural Resources, *[Division of Geology and Land Survey]* Missouri Geological Survey, Geological Survey Program (GSP). The evaluation will include a review of available geologic data and may include a field evaluation conducted by the GSP.

1. A written request for the geohydrologic evaluation must be submitted on forms provided by the department and within forty-five (45) days the developer will be notified in writing by the department of the results.

2. The request for a geohydrologic evaluation shall include a map of the proposed development along with the legal description, total number of acres, and type of water supply being proposed.

3. *The criteria contained in the document entitled Residential Housing Development Geohydrologic Groundwater Evaluation Rating, DNR, Division of Geology and Land Survey, Geological Survey Program, October 1997 shall be used to determine the minimum lot size as related to the geology and possibility of groundwater contamination in the area.]*

(3) Soils Report.

(A) A soils report for each residential housing development must be prepared by a soil scientist as defined in 19 CSR 20-3.080. The report must indicate if the proposed system is a soil absorption system or other system (lagoon). The soils

report can be generated only after a thorough, systematic investigation of the soil properties and landscapes in the proposed development. Soil observation pits (backhoe or hand dug) dug to a depth to reveal the major soil horizons shall be utilized. The minimum number of pits shall be one (1) every ten (10) acres[.]; however, in developments with the majority of lots less than two (2) acres, the minimum number of pits shall be one (1) every five (5) acres. These pits may be supplemented by soil borings to help determine the extent of similar soil properties. Profile descriptions which include horizon designations, depth, color, texture, structure, consistence, coarse fragments, mottling, and other pertinent features shall be submitted.

1. The soils report shall contain a topographic map delineating the proposed development into the following slope categories: **zero to two percent (0-2%), three to fourteen percent (3-14%), fifteen to thirty percent (15-30%), and thirty-one percent (31%)** and greater.

2. A map delineating the depth of acceptable soil into the following categories: less than **[18] eighteen inches (18")**, **[18 to 30] eighteen to thirty inches (18-30")** over bedrock, **[18 to 30] eighteen to thirty inches (18-30")** over a limiting layer, and greater than **[30] thirty inches (30")** shall also be provided.

3. Table 1 shall be used to determine the minimum lot size based on soil properties and site conditions. More than fifty percent (50%) of each lot must be in a single acreage category or more than fifty percent (50%) may be in that and smaller acreage categories in order to use that minimum sized lot.

Table 1

Minimum Lot Size (Acres) for Soil Absorption Systems Based on Soil Depth and Slope

		Acceptable Soil (inches)			<18"
		>30"	18-30"	18-30"	
			Limiting Layer	Bedrock	
slope (%)	0-2	0.92	2	2	3
	3-14	0.92	1	2	3
	15-30	1	2	3	5
	31+	2	3	5	>5

4. Lots with less than eighteen inches (18") of acceptable soil should be evaluated carefully to determine if a soil absorption system will function properly on the site. It must be shown that mitigation of the limiting soil condition is a feasible option. Lots with less than twelve inches (12") of acceptable soil will not be approved for soil absorption systems unless the limiting condition is a high water table and the soil scientist determines that water table lowering schemes may be effective.

(B) Acceptable soil will have the following properties:

- Any structure except strong platy or massive;
- Fifty percent (50%) and less coarse fragments **greater than two millimeters (>2 mm)**;
- No limiting layer; and
- Available area and landscape position suitable for an on-site system.

[(6) Multiple Family Housing Units.

(A) Residential housing developments that propose to build multiple family housing units (duplexes, quadplexes, etc.) shall submit an engineer's report in accordance with 10 CSR 20-8.020 Design of Small Sewage Works. Each housing unit shall be considered equal to a single family residence for the

purposes of compliance with this rule.]

[(7)](6) Department Review.

(A) The department shall determine if the requirements of this rule are satisfied. Minimum lot size will be the larger of the values calculated in the geohydrologic evaluation if required or the soils report. Approval under this rule does not guarantee that each lot in the residential housing development will be approved for a soil absorption system.

(B) The developer of any residential housing development required to obtain approval from the department[,] shall obtain written approval and comply with all conditions and requirements set forth in writing by the department as contained in the Missouri Clean Water Law and corresponding regulations[,] prior to the sale or lease of any lot or the commencement of construction on any lot by any developer(s) or owner(s).

(C) There shall be no deviation or change that may adversely affect the geohydrologic evaluation, lot sizes, number of lots, or the proposed water supply for a residential housing development following departmental approval without first securing written approval of the proposed changes from the department.

(D) Within ninety (90) days of receipt of the completed requirements and any other documents or information required in this rule by the department, the department will approve or disapprove the wastewater disposal plans and attach any conditions to an approval which it deems necessary to protect waters of the state in accordance with the Missouri Clean Water Law and regulations.

(E) Any developer or person owning any residential housing development or lots covered by this rule who has a proposal for wastewater disposal denied, or any condition in an approval in all or in part, may appeal to the Missouri Clean Water Commission within thirty (30) days of issuance of the denial or conditioned approval.

(F) Nothing in this rule shall preclude any local, municipal, county, or other lawful authority from establishing subdivision, sewer, or single-family residence on-site systems regulations and ordinances equal to or more stringent than those contained in this rule.

(G) Compliance **[With Other Law] with other law.** Nothing in this rule shall excuse any person from complying with or from liability for violations of the Missouri Clean Water Law and regulations or any other laws of Missouri.

(H) Severability. If any section, paragraph, sentence, clause or phrase of this rule, or any part of each, be declared unconstitutional or invalid for any reason, the remainder of this rule shall not be affected and shall remain in full force and effect.

AUTHORITY: section 644.026, RSMo [Supp. 1997] 2016. Original rule filed June 14, 1974, effective June 24, 1974. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 14, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of

Natural Resources. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. November 21, 2023. A public hearing is scheduled for November 14, 2023, at 1 p.m., at the Department of Natural Resources, Lewis and Clark State Office Building, 1101 Riverside Drive, Jefferson City, MO 65101. A virtual option is available at <https://stateofmo.webex.com/stateofmo/j.php?MTID=m614a662a46d258f5ceea1af8f8ba1fcc>, meeting number (access code) 2464 512 1679, password DNR, or call-in number 1-650-479-3207. Comments may also be submitted to Michael Abbott, Water Protection Program, PO Box 176, Jefferson City, MO 65102-0176, via email at michael.abbott@dnr.mo.gov, or online at <https://apps5.mo.gov/proposed-rules/welcome.action#OPEN>.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 20 – Clean Water Commission
Chapter 8 – Minimum Design Standards**

PROPOSED AMENDMENT

10 CSR 20-8.130 Pumping Stations. The department is amending section (7).

PURPOSE: This amendment allows for an alternative design of emergency operations at sewage pump stations in cases where the required storage is not practical.

(7) Emergency Operation. **Pumping stations shall be capable of operating during emergencies to prevent the discharge of raw wastewater. In addition to the required emergency means of operation and a storage/detention basin or tank, at least one (1) of the following shall be provided:**

[(A) In addition to the required emergency means of operation and a storage/detention basin or tank, the following minimum retention time shall be provided:]

[1.](A) For [facilities] a pump station serving a wastewater treatment facility with a design average flow of one hundred thousand (100,000) gallons per day or greater, a storage capacity for two- (2-) hour retention of the peak hourly flow; [or]

[2.](B) For [facilities] a pump station serving a wastewater treatment facility with a design average flow of less than one hundred thousand (100,000) gallons per day, a storage capacity for four- (4-) hour retention of the peak hourly flow[.]; or

[(B) Independent Utility Substations. Where independent substations are used for emergency power, each separate substation and its associated distribution lines shall be capable of starting and operating the pump station at its rated capacity.]

(C) With sufficient engineering justification, designers may propose an alternative method to address emergency operations. At a minimum, this includes a reasonable amount of retention along with a dedicated generator of sufficient capacity capable of automatic start-up during power outages. All emergency equipment must be designed such that its operations can be tested on a regular schedule. Where independent electrical feeds are used for emergency power, each separate electrical feed shall be capable of starting and operating the pump station at its rated capacity.

AUTHORITY: section 644.026, RSMo 2016. Original rule filed Aug. 10, 1978, effective March 11, 1979. Amended: Filed June 15, 2018, effective Feb. 28, 2019. Amended: Filed Sept. 14, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Natural Resources. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. November 21, 2023. A public hearing is scheduled for November 14, 2023, at 1 p.m., at the Department of Natural Resources, Lewis and Clark State Office Building, 1101 Riverside Drive, Jefferson City, MO 65101. A virtual option is available at <https://stateofmo.webex.com/stateofmo/j.php?MTID=m614a662a46d258f5ceea1af8f8ba1fcc>, meeting number (access code) 2464 512 1679, password DNR, or call-in number 1-650-479-3207. Comments may also be submitted to Scott Adams, Water Protection Program, PO Box 176, Jefferson City, MO 65102-0176, via email at scott.adams@dnr.mo.gov, or online at <https://apps5.mo.gov/proposed-rules/welcome.action#OPEN>.

**TITLE 10 – DEPARTMENT OF NATURAL RESOURCES
Division 20 – Clean Water Commission
Chapter 8 – Minimum Design Standards**

PROPOSED AMENDMENT

10 CSR 20-8.200 Wastewater Treatment Lagoons and Wastewater Irrigation Alternatives. The department is amending sections (1), (2), (4), and (6), and renumbered as necessary.

PURPOSE: This amendment contains changes that are administrative in nature. It changes the term “geohydrological” to “geohydrologic,” adds language to inform applicants who are required to request a geohydrologic evaluation that supplemental information can be submitted to the department for consideration, adds the phrase “unless additional information supports an alternative determination by the department for the proposed location” to existing language stating that earthen basins shall not be located in areas with a severe collapse potential rating, clarifies storage requirement calculations to correct an error in a previous rulemaking, revises the applicability statement to include earthen basins and revises wording in several places to specifically exclude lagoons or earthen basins built to contain or control the release of only stormwater and facilities that maintain a permit to engage in surface mining under the Land Reclamation Act, sections 444.760 through 444.790, RSMo, revises a reference to the head of water used in calculating seal thickness to reference the design operating depth of water, alphabetizes the county lists for minimum storage days required for surface irrigation of wastewater, corrects the spelling of one county (Greene), adds two counties that were missing (Wright and Washington), and moves one county that was incorrectly listed in the wrong subparagraph (Cooper).

(1) Applicability. Wastewater systems that utilize lagoons, **earthen basins**, and wastewater irrigation alternatives shall be designed based on criteria contained in this rule, published standards, applicable federal and state requirements, standard

textbooks, current technical literature, and applicable safety standards. In the event of any conflict between the above criteria, the requirement in this rule shall prevail.

(C) This rule shall not apply to lagoons or earthen basins built to contain or control the release of only stormwater, provided that the stormwater does not come in contact with process waste or process wastewater.

(D) This rule shall not apply to any earthen basin constructed to retain and settle nontoxic, nonmetallic earthen materials such as soil, silt, and rock.

(2) Alternative Requirements. When the owner of a proposed reviewable project believes that compliance with a design requirement of this chapter is impracticable, the owner may provide engineering justification to the department in writing prior to the submission of final plans. Engineering justification for the alternative requirement must be provided and include all pertinent facts, data, reports, and studies supporting that the alternative requirement will result in equivalent or improved effectiveness as the minimum design criteria of this chapter. The department may approve an alternative requirement when it determines that compliance with the design requirements of this chapter would be impracticable when the alternative, in its best professional judgment, is in substantial compliance with the requirements of this chapter.

[(2)](3) Supplementary Field Data for the Facility Plan. The facility plan shall contain pertinent information on location, geology, soil conditions, area for expansion, and any other factors that will affect the feasibility and acceptability of the proposed project, including the information required per 10 CSR 20-8.110. The following information must be submitted:

(A) Lagoons and spray irrigation fields shall be located where stormwater runoff from the watershed is minimized.

(B) Geohydrologic[al] Evaluation. A geohydrologic[al] evaluation shall be requested on all new earthen basins, earthen basin major modifications, new wastewater irrigation sites, and subsurface absorption fields. **Supplemental information may be submitted for consideration by the department.**

1. Severe [C]collapse [P]potential. Earthen basins shall not be located in areas with a severe collapse potential rating **unless additional information supports an alternative determination by the department for the proposed location.**

(C) Soils [i]Investigation. Detailed soils investigations and reports shall be submitted for facilities surface irrigating more than twenty-four inches per year (24"/yr) and for all subsurface absorption fields. Soils reports shall comply with 10 CSR 20-8.110(7).

(D) Where geosynthetic liners are used in storage or treatment basins for wastewaters of an industrial nature, the application shall[:]—

1. Document that the liner or storage structure material is capable of containing the wastewater for at least twenty (20) years;

2. Specify repair or replacement procedures in the event of leakage or damage to the seal; and

3. Include an evaluation of secondary containment or leakage detection and collection devices for corrosive or reactive wastewaters and for toxic materials.

[(3)](4) Basis of Design.

(A) Area and Loadings for Discharging Lagoons.

1. Lagoon design for BOD₅ loadings shall not exceed thirty-four pounds per day per acre (34 lbs/day/acre) at the three-foot (3') operating depth in the primary cells.

2. Aerated [L]lagoons. Aeration equipment shall be capable of[:]—

A. Maintaining the design level of dissolved oxygen within a particular cell with one (1) unit in the cell out of service;

B. Maintaining a minimum dissolved oxygen level of two milligrams per liter (2 mg/L) in the lagoon at all times;

C. Delivering one and four tenths pounds of oxygen per pound of biochemical oxygen demand removed (1.4 lbs O₂/1 lb BOD); and

D. Delivering an additional four and sixth tenths pounds of oxygen per pound of ammonia nitrogen removal (4.6 lbs O₂/1 lb NH₃).

(B) Area and Loadings for Wastewater Irrigation Storage Basins. Treatment prior to surface irrigation shall provide performance equivalent to that obtained from a primary wastewater lagoon cell designed and constructed in accordance with section [(4)](5) of this rule, except that the lagoon depth may be increased to include wastewater storage in addition to the primary volume.

[(4)](5) Lagoon and Earthen Basin Construction Details.

(A) Embankments and Berms.

1. Berms shall be constructed of relatively impervious material and compacted to at least ninety-five percent (95%) maximum dry density test method to form a stable structure.

2. The minimum berm width shall be eight feet (8') to permit access of maintenance vehicles.

3. Minimum freeboard shall be two feet (2').

4. An emergency spillway shall be provided that —

A. Prevents the overtopping and cutting of berms;

B. Is compacted and vegetated or otherwise constructed to prevent erosion; and

C. Has the ability for a representative sample to be collected, if discharging.

(B) Lagoon and Earthen Basin Bottom. Soil shall be compacted with the moisture content between two percent (2%) below and four percent (4%) above the optimum water content and compacted to at least ninety-five percent (95%) maximum dry density test method.

(C) Lagoon and Earthen Basin Seal.

1. The lagoon or earthen basin shall be sealed to ensure that seepage loss is as low as possible and has a design permeability not exceeding 1.0×10^{-7} cm/sec.

2. Soil [S]seals. The minimum thickness of the compacted clay liner must be twelve inches (12"). For permeability coefficients greater than 1.0×10^{-7} cm/sec or for heads over five feet (5') such as an aerated lagoon system, the following formula shall be used to determine minimum seal thickness, Equation 200-1:

Equation 200-1

$$t = \frac{H \times K}{5.4 \times 10^{-7} \text{ cm/sec}}$$

where:

K = the permeability coefficient of the soil in question;

H = the [head] design average operating depth of water in the lagoon or earthen basin, excluding the inner berm depth; and

t = the thickness of the soil seal.

3. Synthetic [L]liners. Synthetic seals thickness may vary due to liner material, but the liner thickness shall be no less

than two-hundredths inch (.02") or twenty (20) mil and be the appropriate material to perform under existing conditions.

4. Seep collars shall be provided on drainpipes where they pass through the lagoon **or earthen basin** seal.

(D) Influent Lines.

1. Unlined corrugated metal pipe shall not be used due to corrosion problems.

2. A manhole shall be installed with its invert at least six inches (6") above the maximum operating level of the lagoon **or earthen basin**, prior to the entrance into the primary cell, and provide sufficient hydraulic head without surcharging the manhole. For manhole installation, follow the provisions listed in 10 CSR 8.120(4).

3. The influent line(s) shall be located along the bottom of the lagoon **or earthen basin** so that the top of the pipe is just below the average elevation of the lagoon **or earthen basin** seal; however, there shall be an adequate seal below the pipe.

~~[(5)](6)~~ Covers for Lagoon Retrofits.

(A) Lagoon covers shall be constructed with a minimum thickness of **two (2)** mil or meet the manufacturer's recommendations, and be ultraviolet and weather resistant.

(B) Trial seams shall be used to verify acceptable installation techniques.

(C) The cover shall include a stormwater removal system that conveys collected precipitation to sumps or includes drainage areas in the membrane within the acceptable leakage rate to allow stormwater to drain into the lagoon.

~~[(6)](7)~~ Surface Irrigation of Wastewater.

(A) Site Considerations. For site considerations, follow the provision in section ~~[(2)](3)~~ of this rule.

(B) Wetted Application Area. The wetted application area is the land area that is normally wetted by wastewater application. The wetted application area must be:—

1. Located outside of flood-prone areas having a flood frequency greater than once every ten (10) years;

2. Established —

A. At least one hundred fifty feet (150') from existing dwellings or public use areas, excluding roads or highways;

B. At least fifty feet (50') inside the property line;

C. At least three hundred feet (300') from any sinkhole, losing stream, or other structure or physiographic feature that may provide direct connection between the ground water table and the surface;

D. At least three hundred feet (300') from any existing potable water supply well not located on the property. Adequate protection shall be provided for wells located on the application site;

E. One hundred feet (100') to wetlands, ponds, gaining streams (classified or unclassified; perennial or intermittent); and

F. If an established vegetated buffer or the wastewater is disinfected, the setbacks established in *[subsections (A)–(E) above]* **subparagraphs A.–E. of this paragraph** may be decreased if the applicant demonstrates the risk is mitigated~~[,]~~; **and**

3. Fenced, or if not fenced, provide in the construction permit application or the facility plan, the —

A. Method of disinfection being utilized;

B. Suitable barriers in place~~[,]~~; or

C. Details on how public access is limited and not expected to be present.

(C) Preapplication Treatment. At a minimum, treatment prior to irrigation shall provide performance equivalent to that obtained from a primary wastewater lagoon cell designed

and constructed in accordance with sections ~~[(3)](4)~~ and ~~[(4)](5)~~ of this rule, except that the lagoon depth may be increased to include wastewater storage in addition to the primary volume.

1. The size of storage basins shall be based on the design wastewater flows and net rainfall minus evaporation expected for a one (1) in ten (10) year *[twenty-four (24) hour return]* frequency for the storage period selected and shall meet the minimum storage days listed below.

A. Seventy-five (75) days for facilities located in *[Scott, Stoddard, Butler, Dunklin, New Madrid, Pemiscot, Mississippi, McDonald, Newton, Jasper, Lawrence, Barry, Stone, Taney, Christian, Green, Webster, Douglas, Ozark, Howell, Texas, Dent, Shannon, Oregon, Ripley, Carter, Reynolds, Iron, Madison, Wayne, Cape Girardeau, Barton, Dade, Perry, and Bollinger counties]* Barry, Barton, Bollinger, Butler, Cape Girardeau, Carter, Christian, Dade, Dent, Douglas, Dunklin, Greene, Howell, Iron, Jasper, Lawrence, Madison, McDonald, Mississippi, New Madrid, Newton, Oregon, Ozark, Pemiscot, Perry, Reynolds, Ripley, Scott, Shannon, Stoddard, Stone, Taney, Texas, Wayne, Webster, and Wright counties.

B. Ninety (90) days for facilities located in *[Vernon, Bates, Henry, St. Clair, Cedar, Dallas, Polk, Hickory, Benton, Cooper, Morgan, Moniteau, Miller, Cole, Camden, Laclede, Pulaski, Phelps, Maries, Osage, Gasconade, Franklin, Jefferson, St. Louis, Ste. Genevieve, St. Francois, St. Charles, and Crawford counties]* Bates, Benton, Camden, Cedar, Cole, Crawford, Dallas, Franklin, Gasconade, Henry, Hickory, Jefferson, Laclede, Maries, Miller, Moniteau, Morgan, Osage, Phelps, Polk, Pulaski, St. Charles, St. Clair, St. Francois, St. Louis, St. Louis City, Ste. Genevieve, Vernon, and Washington counties.

C. One hundred five (105) days for facilities located in *[Cass, Johnson, Pettis, Platte, Jackson, Clay, Ray, Lafayette, Carroll, Saline, Chariton, Randolph, Howard, Boone, Callaway, Audrain, Monroe, Ralls, Pike, Lincoln, Warren, and Montgomery counties]* Audrain, Boone, Callaway, Carroll, Cass, Chariton, Clay, Cooper, Howard, Jackson, Johnson, Lafayette, Lincoln, Monroe, Montgomery, Pettis, Pike, Platte, Ralls, Randolph, Ray, Saline, and Warren counties.

D. One hundred twenty (120) days for facilities located in *[Atchison, Holt, Andrew, Nodaway, Worth, Gentry, DeKalb, Harrison, Daviess, Grundy, Mercer, Putnam, Sullivan, Linn, Macon, Adair, Schuyler, Scotland, Clark, Knox, Lewis, Shelby, Buchanan, Clinton, Caldwell, Livingston, and Marion counties]* Adair, Andrew, Atchison, Buchanan, Caldwell, Clark, Clinton, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Knox, Lewis, Linn, Livingston, Macon, Marion, Mercer, Nodaway, Putnam, Schuyler, Scotland, Shelby, Sullivan, and Worth counties.

E. Seasonal facilities. For facilities that operate and generate flows only from April through October season, a minimum storage capacity of forty-five (45) days shall be provided. For facilities that operate or generate flows only from November through March, the minimum storage listed in *[subsection (A)–(D) above]* **subparagraphs A.–D. of this paragraph** is required.

(D) Application Rates and Soils Information. The application rates for each individual site shall be based on topography, soils, geology, hydrology, weather, agricultural practice, adjacent land use, and application method. Application of wastewater shall not be allowed during periods of ground frost, frozen soil, saturated conditions, or precipitation events. In design of the application rates, the following shall apply:

1. Do not exceed the hourly application rate at the design sustained permeability rate except for short periods when initial soil moisture is significantly below field capacity. Do not exceed an hourly rate of one-half (½) the design sustained permeability for slopes exceeding ten percent (10%)~~;~~;

2. Base the daily and weekly application rates on soil moisture holding capacity, antecedent rainfall, and depth to the most restrictive soil permeability.

A. For facilities applying at twenty-four inches per year (24"/yr), the application rate cannot exceed one inch (1") per day and three inches (3") per week.

B. For facilities applying above twenty-four inches per year (24"/yr), the application rate cannot exceed the values determined in the soils report and loading design. Follow the provisions in 10 CSR 20-8.110(7), Soils Reports for additional information~~;~~ and

3. Design the maximum annual application rate not to exceed ten percent (10%) of the design sustained soil permeability rate for the number of days per year when soils are not frozen.

(E) The applicant shall defer the grazing of animals or harvesting of forage crops, as listed below, following wastewater irrigation, depending upon ambient air temperature and sunlight conditions~~;~~;

1. Fourteen (14) days from grazing or forage harvesting during the period from May 1 to October 31 of each year; and

2. Thirty (30) days from grazing or forage harvesting during the period from November 1 to April 30 of each year.

(F) Public Access Areas. Wastewater shall be disinfected prior to irrigation (not storage) in accordance with 10 CSR 20-8.190.

1. The wastewater shall contain as few of the indicator organisms as possible and in no case contain more than one hundred twenty-six (126) *Escherichia coliform* colony forming units per one hundred milliliters (126 cfu/100 ml)~~;~~;

2. The public shall not be allowed into an area when irrigation is being conducted~~;~~ and~~;~~.

3. For golf courses utilizing wastewater, all piping and sprinklers associated with the distribution or transmission of wastewater shall be color-coded and labeled or tagged to warn against the consumptive use of contents.

(G) Alarm System. An automatic notification alarm system shall be installed on the pressure monitoring system, on each pivot and pump system, and be capable of notifying an on-call operator when a fault occurs in the system.

~~[(7)](8)~~ Subsurface Absorption Systems.

(A) Site Restrictions.

1. Subsurface systems shall –

A. Exclude unstabilized fill and soils that have been highly compacted and/or disturbed, such as old road beds, foundations, or similar things;

B. Provide adequate surface drainage where slopes are less than two percent (2%);

C. Provide surface and subsurface water diversion where necessary, such as a curtain or perimeter drain; and

D. Have a ten foot (10') buffer from the property line.

2. The vertical separation between the bottom of the drip lines and/or the trench and a limiting layer, including but not limited to~~;~~ bedrock~~;~~, restrictive horizon~~;~~, or seasonal high water table, shall be no less than~~;~~–

A. Twenty-four inches (24"); or

B. Twelve inches (12") for systems dispersing secondary or higher quality effluent; or

C. Forty-eight inches (48") where karst features are present unless the site can be reclassified.

(B) Preliminary treatment. Subsurface systems shall be, at a minimum, preceded by preliminary treatment. For design of a secondary treatment system, follow the provisions in 10 CSR 20-8.180 or section ~~[(3)](4)~~ of this rule.

(C) Loading rates shall not exceed the values assigned by the site and soil evaluation.

~~[(8)](9)~~ Low Pressure Pipe (LPP) Subsurface Systems.

(A) Design.

1. The LPP system shall be sized in accordance with the following equations, Equation 200-2 and Equation 200-3: Equation 200-2

$$A = \frac{Q}{LTAR}$$

and

Equation 200-3

$$L = \frac{A}{5 \text{ ft}}$$

where:

A = Minimum LPP soil treatment area (square feet (sq.ft))

L = Minimum total length of LPP trench (ft)

Q = Maximum daily wastewater flow (gallons per day (gpd))

LTAR = Long term acceptance rate (gpd/sq.ft). This is the lowest reported LPP soil loading rate between the soil surface and at least twelve inches (12") below the specified LPP trench bottom, or as approved by the Missouri Department of Natural Resources (department).

2. All network piping and low pressure distribution piping and fittings with polyvinyl chloride (PVC) shall meet ASTM Standard D 1785 *Standard Specification for Poly(Vinyl Chloride) (PVC) Plastic Pipe, Schedules 40, 80, or 120* as approved and published August 1, 2015, or equivalent rated to meet or exceed ASTM D2466 *Standard Specification for Poly(Vinyl Chloride) (PVC) Plastic Drain, Waste, and Vent Pipe and Fittings* as approved and published August 1, 2017. These standards shall hereby be incorporated by reference into this rule, as published by ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959. This rule does not incorporate any subsequent amendments or additions.

3. Manifold design shall address freeze protection while assuring uniform distribution and to minimize drain down of laterals into other laterals at a lower elevation between dosing events.

(B) Dosage. The dosing frequency shall be based on the soils report and the dosing volume in zoned systems.

(C) Orifices and Orifice Shielding.

1. The orifice number and spacing shall be designed to provide a distribution of no more than six square feet per orifice with an orifice size of not less than one-eighth inch.

2. The distal pressure shall be designed and maintained at the end of each lateral to be no less than two feet (2 ft) (0.87 psi) when using three-sixteenth inch (3/16") or larger diameter orifices, and no less than five feet (5 ft) (2.18 psi) when using orifices smaller than three-sixteenth inch (3/16").

~~[(9)](10)~~ Drip Dispersal Subsurface Systems.

(A) Design.

1. The location and size of the drains and buffers must be factored into the total area required for the drip dispersal system.

2. The drip dispersal system shall be sized with the minimum soil treatment area and total length, in accordance

with the following equations, Equation 200-4 and Equation 200-5:

Equation 200-4

$$A = \frac{Q}{HLR}$$

Equation 200-5

$$L = \frac{A}{2 \text{ feet}}$$

Where:

A = Minimum soil treatment area (square feet (sq. ft))

Q = Maximum daily wastewater flow (gallons per day (gpd))

HLR = Maximum hydraulic loading rate determined in the soils report (gpd/sq.ft)

L = Minimum total length (ft)

(B) Lines.

1. The drip dispersal lines shall be placed at a minimum depth of six inches (6") below the surface.

2. Emitters and drip dispersal lines shall be placed at a minimum on a two-foot (2') spacing to achieve even distribution of the wastewater and maximum utilization of the soil.

AUTHORITY: section 644.026, RSMo 2016. Original rule filed Aug. 10, 1978, effective March 11, 1979. Amended: Filed June 15, 2018, effective Feb. 28, 2019. Amended: Filed Sept. 14, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PUBLIC COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Natural Resources. To be considered, comments must be received by the end of the public comment period, which is 5 p.m. November 21, 2023. A public hearing is scheduled for November 14, 2023, at 1 p.m., at the Department of Natural Resources, Lewis and Clark State Office Building, 1101 Riverside Drive, Jefferson City, MO 65101. A virtual option is available at <https://stateofmo.webex.com/stateofmo/j.php?MTID=m614a662a46d258f5ceea1af8f8ba1fcc>, meeting number (access code) 2464 512 1679, password DNR, or call-in number 1-650-479-3207. Comments may also be submitted to Cindy LePage, Water Protection Program, PO Box 176, Jefferson City, MO 65102-0176, via email at cindy.lepage@dnr.mo.gov, or online at <https://apps5.mo.gov/proposed-rules/welcome.action#OPEN>.

TITLE 13 – DEPARTMENT OF SOCIAL SERVICES Division 35 – Children’s Division Chapter 60 – Licensing of Foster Family Homes

PROPOSED AMENDMENT

13 CSR 35-60.030 Minimum Qualifications of Foster Parent(s). The division is amending subsections (3)(A) and (7) (G).

PURPOSE: This amendment updates the competencies that must be demonstrated by prospective foster parents and relative

caregivers to obtain a foster home license.

(3) Personal Qualifications Required of Foster Parent(s).

(A) Foster parent(s) must be able to acquire skills and demonstrate performance-based competence in the care of children including[,] but not limited to[:]-

1. *[Protecting and nurturing] Understanding trauma and trauma-informed parenting;*

2. *[Meeting developmental needs and addressing developmental delays] Supporting families and maintaining children’s connections;*

3. *[Supporting relationships between children and families] Understanding the child welfare system and the social, emotional, and physical impact it has on children and families;*

4. *[Connecting children to lifetime relationships; and] Understanding the importance of cultural identity in foster care and adoption; and*

5. *[Working as a member of a professional team] Understanding children’s mental health issues and how substance use can impact children.*

(7) Parenting Skills Information Elicited in the Home Assessment.

(G) Foster parent behaves in a way that recognizes the *[immaturity] developmental stage* of the child.

AUTHORITY: sections 207.020 and 660.017, RSMo 2016. Emergency rule filed July 18, 2006, effective Aug. 4, 2006, expired Jan. 30, 2007. Original rule filed July 18, 2006, effective Jan. 30, 2007. Amended: Filed Sept. 15, 2015, effective March 30, 2016. Amended: Filed Oct. 1, 2018, effective May 30, 2019. Amended: Filed Sept. 6, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2030 – Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 14 – Definitions

PROPOSED AMENDMENT

20 CSR 2030-14.020 Definition of Baccalaureate Degree From Approved Curriculum as Used in Section 327.312.1(1), RSMo. The board is amending section (1).

PURPOSE: This rule is being amended to come into compliance with a statutory amendment via HB 2149 which became effective on August 28, 2022, increasing the required number of Legal Principles of Surveying, Missouri Surveying Law, Legal Principles and Boundary Control, Legal Aspects of Surveying, United States Public Land Surveying System (UPLSS) from three (3) hours to six (6) hours effective January 1, 2024.

(1) The approved curriculum for a baccalaureate degree as it applies to admission to the land surveyor-intern program will be deemed acceptable if the candidate holding the degree has achieved all of the credits in college level courses in accordance with the following table:

General Title	Representative Course Titles	Semester Hours
Mathematics	Trigonometry, Algebra, Analytic Geometry, Calculus, Statistics	12
Communications	Technical Writing, Speech	3
Legal Aspects of Boundary Survey	Legal Principles of Surveying, Missouri Surveying Law, Legal Principles and Boundary Control, Legal Aspects of Surveying, United States Public Land Surveying System (UPLSS)	[3] 6
Science	Physics, Geophysics, Astronomy, Computer Science, Remote Sensing	12
Surveying (A)	Surveying I, Surveying II, Land Surveying, Fundamentals of Surveying, Advanced Surveying, Surveying Calculations	6
Surveying (B)	Subdivision Design, Route and Construction Surveying, Geomatics, Introduction to GIS, Geodesy and Geodeic Positioning, Geospatial Technologies, Photogrammetry, UAS Mapping	3

*AUTHORITY: section 327.041, RSMo 2016, and section 327.312, RSMo Supp. [2022] 2023. This rule originally filed as 4 CSR 30-14.020. Original rule filed Jan. 12, 1984, effective April 12, 1984. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 13, 2023.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapeplspla@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2030 – Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 14 – Definitions

PROPOSED AMENDMENT

20 CSR 2030-14.030 Definition of Twenty Semester Hours of Approved Surveying Course Work as Used in Section 327.312.1(2), RSMo. The board is amending section (1).

PURPOSE: This rule is being amended to come into compliance with a statutory amendment via HB 2149 which became effective on August 28, 2022, increasing the required number of Legal Principles of Surveying, Missouri Surveying Law, Legal Principles and Boundary Control, Legal Aspects of Surveying, United States Public Land Surveying System (UPLSS) from three (3) hours to six (6) hours effective January 1, 2024.

(1) The approved curriculum for a person applying for admission to the land surveyor-intern program and who has at least sixty (60) semester hours of college level courses will be in accordance with the following table:

General Title	Representative Course Titles	Semester Hours
Mathematics	Trigonometry, Algebra, Analytic Geometry, Calculus, Statistics	8
Communications	Technical Writing, Speech	3
Legal Aspects of Boundary Survey	Legal Principles of Surveying, Missouri Surveying Law, Legal Principles and Boundary Control, Legal Aspects of Surveying, United States Public Land Surveying System (UPLSS)	[3] 6

Science	Physics, Geophysics, Astronomy, Computer Science, Remote Sensing	9
Surveying (A)	Surveying I, Surveying II, Land Surveying, Fundamentals of Surveying, Advanced Surveying, Surveying Calculations	12
Surveying (B)	Subdivision Design, Route and Construction Surveying, Geomatics, Introduction to GIS, Geodesy and Geodeic Positioning, Geospatial Technologies, UAS Mapping	5

AUTHORITY: section 327.041, RSMo 2016. This rule originally filed as 4 CSR 30-14.030. Original rule filed Jan. 12, 1984, effective April 12, 1984. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 13, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapeplspla@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2030 – Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects Chapter 14 – Definitions

PROPOSED AMENDMENT

20 CSR 2030-14.040 Definition of [Twelve] Fifteen Semester Hours of Approved Surveying Course Work as Used in Section 327.312.1(3), RSMo. The board is amending the title and section (1).

PURPOSE: This rule is being amended to come into compliance with a statutory amendment via HB 2149, which became effective on August 28, 2022, increasing the required number of Legal Principles of Surveying, Missouri Surveying Law, Legal Principles and Boundary Control, Legal Aspects of Surveying, United States Public Land Surveying System (UPLSS) from three (3) hours to six (6) hours effective January 1, 2024.

(1) The approved surveying course work as it applies to admission to the land surveyor-intern program without either a baccalaureate or associate degree-type program will be deemed acceptable if the candidate has achieved all the credits in college level courses in accordance with the following table:

General Title	Representative Course Titles	Semester Hours
Surveying (A)	Surveying I, Surveying II, Land Surveying, Fundamentals of Surveying, Advanced Surveying, Surveying Calculations	9
Legal Aspects of Boundary Survey	Legal Principles of Surveying, Missouri Surveying Law, Legal Principles and Boundary Control, Legal Aspects of Surveying, United States Public Land Surveying System (UPLSS)	[3] 6

AUTHORITY: section 327.041, RSMo 2016. This rule originally filed as 4 CSR 30-14.040. Original rule filed Jan. 12, 1984, effective April 12, 1984. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 13, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102, via facsimile at (573) 751-8046, or via email at moapeplspla@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2220 – State Board of Pharmacy Chapter 2 – General Rules

PROPOSED AMENDMENT

20 CSR 2220-2.900 Class N: Health Care Facility Automated Dispensing [and Storage] Systems. The board is amending the title and purpose, deleting sections (1)–(6) and adding new sections (1)–(9).

PURPOSE: This amendment clarifies and updates supervision, technology, and operational requirements for Class N Health Care facility automated dispensing systems.

PURPOSE: This rule establishes [guidelines] licensing standards and requirements for the use of Class N automated dispensing

[and storage] systems (**Health Care Facility**).

[(1) Automated dispensing and storage systems (hereafter referred to as automated system or system) are hereby defined to include, but are not limited to, mechanical systems that perform operations or activities, relative to the storage, packaging or dispensing of medications, and which collect, control, and maintain all transaction information. Such systems may be used in pharmacies and where a pharmacy permit exists, for maintaining patient care unit medication inventories or for a patient profile dispensing system, provided the utilization of such devices is under the supervision of a pharmacist. A pharmacist is not required to be physically present at the site of the automated pharmacy system if the system is supervised electronically by a pharmacist. In order to supervise the system within an ambulatory care setting, the pharmacist must maintain constant visual and auditory communication with the site and full control of the automated system must be maintained by the pharmacist and shall not be delegated to any other person or entity. Supervision of an automated refill patient self-service device requires that a pharmacist employed by the pharmacy by which the device is owned and operated be available at all times during operating hours of the pharmacy.

(A) Documentation shall be maintained by the owner/operator of an automated system for the type of equipment, locations where all systems are located, identification of all persons accessing the automated system, the identity of persons stocking or restocking the system and the pharmacist responsible for checking the accuracy of medications stocked.

(B) Automated systems that are used within licensed health care facilities shall be used only in settings that ensure medication orders are reviewed by a pharmacist in accordance with established policies and procedures and laws governing the practice of pharmacy. A pharmacist shall control all operations of the automated system and approve the release of the initial dose of a prescription drug order. Subsequent doses from an approved prescription drug order may be removed from the automated system after this initial approval. Any change made in the prescription drug order shall require a new approval by a pharmacist to release the drug.

(C) In ambulatory care settings, a pharmacist must input all information from a prescription or prescription drug order into the electronic data system utilized for the initiation of the dispensing of a drug at a remote site and maintain proper oversight over the entire dispensing process. A pharmacist shall be accessible at all times to respond to patient's or other health professionals' inquiries or requests pertaining to drugs dispensed through the use of the automated pharmacy system. No prescription shall be prepared or dispensed from a remote automated system unless it is from a prescriber providing clinical services at the same location. Labeling of drug containers must be in accordance with section 338.059, RSMo, and application of labels to containers must occur prior to release of the prepared prescription drug from the automated system. Labels shall contain both the name, address and phone number of the supervising pharmacy and the remote dispensing site.

(D) When automated systems are located at remote sites the central pharmacy responsible for the operation and supervision of a remote site must maintain separate and readily retrievable records of all transactions and prescriptions processed by each remote automated system. Remote automated sites must provide the name, address and toll free telephone number of the supervising pharmacy displayed on the automated dispensing system in a prominent location.

(E) Automated systems shall maintain adequate security

systems and procedures to prevent unauthorized access or use and shall at all times maintain compliance with all state and federal drug laws including all controlled substance requirements and patient confidentiality laws.

1. Any remote automated system that stocks controlled substances must maintain a perpetual inventory from each site.

2. Automated systems in ambulatory care settings must be located in an area that will provide adequate space for private consultations to occur and must only be installed within the same area utilized by the prescriber for the provision of clinical services.

3. Automated refill patient self-service devices must be physically attached to the pharmacy so that access to areas used to restock the device are only accessible through the pharmacy physical plant by pharmacy personnel.

(F) Restocking of automated systems shall be done by registered technicians under the supervision of a pharmacist or by a pharmacist.

(G) All events involving access to the contents of the automated system must be recorded electronically.

(H) No medication or device shall be returned directly to the system for reissue or reuse by a person not licensed or registered by the board of pharmacy.

(I) Quality assurance documentation for the use and performance of the automated systems shall be maintained for a minimum period of two (2) years and shall include at a minimum the following:

1. Breach of security of the automated system;

2. Failure of the system to operate correctly along with the frequency of any failures and the necessary repairs completed;

3. Tests completed to measure the effectiveness and accuracy of the system. every six (6) months and whenever any upgrade or change is made to the system.

(J) Drugs that are repackaged for use in automated systems at remote locations must comply with 20 CSR 2220-2.130 Drug Repackaging requirements. Automated refill patient self-service devices must comply with all labeling and dispensing laws governing the provision of medication refills to patients. Products that are considered temperature sensitive or products that require further manipulation in order to be ready for use by a patient shall not be provided through patient self-service devices, unless the device has the capability to provide storage conditions in compliance with Food and Drug Administration (FDA) requirements.

(K) If an automated system uses removable cartridges or containers to hold drugs, the prepackaging of the cartridges or containers must occur at the pharmacy where the original inventory is maintained unless provided by a FDA approved repackager and who is licensed as a drug distributor. The prepackaged cartridges or containers may be sent to the automated system at remote locations to be loaded into the machine by registered technicians under the supervision of a pharmacist or by a pharmacist provided that—

1. A pharmacist has verified the container has been properly filled and labeled;

2. The individual containers are transported to the automated system in a secure, tamper-evident container; and

3. The automated system utilizes technologies to ensure that the containers are accurately loaded in the automated system.

(L) Any pharmacy that maintains an automated system for remote dispensing to ambulatory patients must maintain a video camera and audio system to provide for effective communication between pharmacy personnel and consumers. It must be a system that will allow for the appropriate exchange of oral as well as written communications to facilitate patient

counseling as provided in 20 CSR 2220-2.190 and other matters involved in the correct transaction or provision of drugs.

1. Video monitors used for the proper identification and communication with persons receiving prescription drugs shall be a minimum of twelve inches (12") wide and provided at both the pharmacy and remote location for direct visual contact between pharmacist and patient.

2. Both the video monitor and the audio system must be in good working order or operations utilizing the automated system shall cease until appropriate corrections or repairs are made to the system(s).

3. Backlighting or other factors that may inhibit video or audio performance must be taken into account when using such systems to identify recipients of prescription drugs. Positive identification of recipients must be made before any drug is delivered.

(2) Each automated system shall maintain a manual of policies and procedures that, at a minimum, shall include the following:

(A) System operations that include specific and measurable accountability for safety, security, accuracy, patient confidentiality, access, data retention and retrieval, downtime procedures, emergency first dose or refill patient self-service procedures, inspection of systems by pharmacy personnel, installation requirements, maintenance, medication security, quality assurance, inventory levels and control, staff education and training and system set-up and malfunction.

(B) Documentation by the automated system at remote locations for on-site patient administration and remote dispensing of medications that includes specific identification of patients, medications used along with dates and times the system is utilized.

(C) Effective procedures for securing and accounting for wasted medications or discarded medications.

(D) Access to and limits on access (security levels) to the automated system must be defined and must comply with applicable state and federal laws and regulations.

(3) The pharmacist-in-charge is responsible for the overall compliance of the automated system in the same manner as other pharmacy operations as outlined in 4 CSR 220-2.090. In addition, responsibilities will also include:

(A) Establishment of a quality assurance program prior to implementation of an automated system and the supervision of an ongoing quality assurance program that monitors appropriate use and performance of the automated system, which is evidenced by written policies and procedures developed by the pharmacy;

(B) Assign, discontinue or change access to the automated system;

(C) Assure that the automated system is in good working order and accurately provides the correct strength, dosage form and quantity of a drug prescribed while maintaining appropriate record keeping and security safeguards.

(D) Procedures used for notifying the board on a timely basis and other state and federal agencies, when warranted, of any breach of security which results in the unauthorized removal of drugs.

(4) Except where otherwise noted in this rule, all records specified must be retained as a part of the dispensing record of the pharmacy and in accordance with section 338.100, RSMo and board regulations governing the proper maintenance and retrieval of records.

(5) Pharmacies that maintain automated sites for dispensing

drugs to ambulatory patients shall maintain a Class J: Shared Service classification on each pharmacy permit involved in such activity.

(6) The supervising pharmacy shall have sufficient pharmacists on duty such that each pharmacist may supervise no more than three (3) remote sites that are simultaneously open to provide services. An exception to the supervision limit may be granted by the board in situations where the provider has documented a need for a pharmacist to supervise additional remote sites and has demonstrated that appropriate safeguards are in place to assure proper supervision of each remote site.]

(1) Definitions.

(A) "Class N: Automated dispensing system" (ADS) – An automated system located within a licensed health care facility used to dispense medication for resident patients of the facility pursuant to a patient-specific prescription or a medication order as defined by Chapter 338, RSMo, or a prescription drug order as defined by 20 CSR 2220-2.140. An automated dispensing system does not include an automated system used for compounding medication, a Class O automated dispensing system, or an automated filling system governed by 20 CSR 2220-2.950.

(B) "Electronic verification system" – An electronic verification, bar code verification, weight verification, radio frequency identification (RFID), or similar electronic process or system process used to verify and ensure medication has been properly stocked, restocked, loaded, filled, dispensed, or labeled.

(C) "Licensed health care facility" – A health care facility licensed by or operated by the state of Missouri, or otherwise authorized by the state, to administer health care to resident patients in the ordinary course of business or professional practice.

(D) "Med pak" – A patient med pak as defined by 20 CSR 2220-2.145.

(2) Licensing. Applicants for a Class N (ADS) permit classification must file an application on a form approved by the board with the applicable fee, and submit proof that the proposed Class N ADS location qualifies as a licensed health care facility, as defined by this rule.

(A) A Class N ADS permit will be issued for the health care facility address designated on the application, and may be used to operate all Class N ADSs located at the board approved address. A Class N ADS must be located indoors at the permitted health care facility address and may not be located outside of the health care facility.

(B) The appropriate pharmacy permit classification is required for any pharmacy activities under the board's jurisdiction that occur at the Class N ADS site other than dispensing from an automated dispensing system. Class N ADS pharmacies must comply with all requirements applicable to any additional pharmacy permit classifications held by the pharmacy, including but not limited to all applicable security and staff supervision requirements. A Class J pharmacy permit is required for shared service activities, as provided in 20 CSR 2220-2.650.

(C) A Class N ADS permit is not required for automated dispensing systems used solely to provide medication for immediate administration by health care facility staff to resident patients in an emergency situation, as allowed by law or the health care facility's licensing agency.

(3) System requirements. A Class N ADS must be maintained

in good working order and in a clean and sanitary manner. If applicable, a Class N ADS must be cleaned and disinfected on a regular basis using appropriate materials and agents.

(A) A Class N ADS must be validated by a properly qualified board licensee or appropriately supervised board registrant designated by the pharmacy to ensure the system is functioning properly prior to first use and prior to restarting the system after an unanticipated system shutdown or interruption. Additional validation must occur if any modification to the automated dispensing system occurs that changes or alters the dispensing or electronic verification process.

(B) Medication must be stored and maintained in a thermostatically controlled area within temperature and humidity requirements as provided in the Food and Drug Administration approved drug product labeling or the United States Pharmacopeia (USP).

(C) At a minimum, temperatures in drug storage areas of the ADS must be recorded and reviewed daily. Alternatively, a continuous temperature monitoring system may be used if the system maintains ongoing documentation of temperature recordings that promptly alerts pharmacy staff when temperatures are outside of the required range and provides the amount of variance.

(D) An ongoing and documented quality assurance program must be established to monitor the performance of the automated dispensing system. The quality assurance program must include procedures for handling and reporting dispensing errors, system malfunctions, and other compliance concerns.

(E) A pharmacist must reconcile a sample size of medication dispensed/removed from a Class N ADS on a quarterly basis to verify authorization for dispensing. The required sample size must be identified in the pharmacy's policies and procedures. Proof of compliance with this subsection and the review date(s) must be maintained and documented in the pharmacy's records.

(4) Standards of operation. A Class N ADS must be safely and properly operated at all times in compliance with applicable state and federal laws, including but not limited to all applicable controlled substance laws.

(A) A Class N ADS may only be used in settings that ensure prescriptions and medication/drug orders are reviewed by a pharmacist. Only staff of the licensed health care facility may remove or obtain medications from a Class N ADS for patient use. Patients may not obtain medication directly from the automated dispensing system.

(B) Medication may only be dispensed by a Class N ADS pursuant to a valid prescription or medication/drug order. A prospective drug utilization review must be conducted for initial and changed prescriptions and medication/drug orders, as required by 20 CSR 2220-2.195. Policies and procedures must be in place for reviewing medication dispensing for compliance with this subsection, including but not limited to policies and procedures for terminating discontinued prescriptions and medication/drug orders and as needed prescriptions and medication/drug orders to prevent unauthorized dispensing.

(C) A pharmacist must control all operations of the ADS and approve the release of the initial dose, except in cases of emergency dispensing for immediate administration to a patient as authorized by law. Subsequent doses from an approved prescription or medication/drug order may be removed from the ADS by health care staff in accordance with the pharmacy's policies and procedures, provided

a pharmacist must approve the release of subsequent dose(s) if any change in the prescription or medication/drug order occurs. Subsequent doses of patient-specific labeled prescriptions must comply with subsection (4)(D) of this rule.

(D) For ADSs that dispense a patient-specific labeled prescription or medication/drug order, pharmacist verification of the final drug product and label may be satisfied if—

1. A pharmacist reviews and verifies the prescription or medication/drug order and the patient information used to initiate the dispensing process prior to dispensing;

2. The entire dispensing process is fully automated from the time the process is initiated until a completed, sealed, and properly labeled medication container is produced that is ready for dispensing. Required labels must be affixed to the container prior to release of the medication from the automated dispensing system. No manual manipulation of the prescription container or label may occur after the medication is released; and

3. An electronic verification system is used to ensure the correct label has been affixed and the correct medication and medication strength, dosage form, and quantity have been dispensed.

(E) Labeled prescription containers provided to patients must be labeled in accordance with applicable statutory and regulatory requirements, and must contain the name, address, and telephone number of the Class N ADS permit holder. Med paks dispensed by a Class N ADS must comply with all applicable provisions of 20 CSR 2220-2.145, regardless if given to the patient.

(F) In addition to 20 CSR 2220-2.080 and other prescription record-keeping requirements, the following information must be documented and readily retrievable for all prescriptions and medication/drug orders removed from the system:

1. The patient's name or other unique identifier;
2. The date and time the medication is removed;
3. The medication, dosage strength, and quantity removed; and
4. The identity or other unique identifier of the authorized health care staff member removing the medication.

(5) Supervision. A Class N ADS must be supervised by a Missouri-licensed pharmacist who is readily accessible physically or electronically to monitor system activities and respond to inquiries or requests (e.g., on call). Electronic technology must allow the pharmacist to adequately monitor and supervise Class N ADS operations. The pharmacist supervision required by this section may not be delegated to an intern pharmacist.

(A) If applicable, a two- (2-) way audio communication system must be in place to allow pharmacy technicians or intern pharmacists present at the Class N ADS pharmacy to effectively communicate with the supervising pharmacist. The Class N ADS may not be operated if the electronic or communication technology required by this section is unavailable or not in working order unless a pharmacist is on-site.

(6) Stocking/restocking. Medication must be securely stocked, loaded, and reloaded in a Class N ADS in a manner that protects against theft and diversion, and in compliance with 20 CSR 2220-2.010.

(A) Only board licensees or registrants may stock, load,

or restock a Class N ADS, as authorized by the pharmacy's policies and procedures.

(B) A pharmacist must physically verify that medication has been properly stocked, restocked, and loaded into a Class N ADS. Alternatively, an electronic verification system may be used to verify that medication or medication containers have been properly stocked, restocked, and loaded into the device, if no manual intervention with the medication or medication container after the electronic verification occurs other than health care staff retrieving medication or medication being removed by authorized pharmacy staff for return/destruction.

(C) If authorized by a pharmacist, intern pharmacists, or pharmacy technicians may stock, restock, or load manufacturer unit of use packages and repacked containers previously verified by a pharmacist into a Class N ADS without a pharmacist present or additional pharmacist verification if an electronic verification system is used to verify the manufacturer unit of use packages and repacked containers have been correctly stocked, restocked, or loaded. No manual intervention with the manufacturer unit of use package or repacked container may occur after the electronic verification required by this subsection, other than removing the manufacturer unit of use package or repacked containers by authorized health care facility staff for dispensing or return/destruction.

(D) Return-to-stock medication may be returned and reused as authorized by 20 CSR 2220-3.040 or 20 CSR 2220-2.145 governing multi-med dispensing. No medication shall be returned directly to the Class N ADS for reissue or reuse by a person not licensed or registered by the Board of Pharmacy.

(E) The following documentation must be maintained and readily retrievable:

1. The name, strength, and quantity of the medication stocked, loaded, restocked, or removed from the ADS system;
2. The date and time medication is stocked, loaded, restocked, or removed from the ADS system;
3. The identity of individuals stocking, loading, restocking, or removing medication in the ADS system; and
4. The identity of the pharmacist responsible for verifying the contents of any repacked containers stocked, restocked, or loaded into the ADS system, if applicable.

(7) Security. Adequate security and supervision must be maintained at all times to prevent medication theft and diversion and unauthorized access to or use of the Class N ADS. A Class N ADS must also comply with all security provisions of 20 CSR 2220-2.010. Confidential records and Class N data must be securely maintained to prevent unauthorized access to, and unauthorized storage/transfer of, confidential information.

(A) A Class N ADS must be securely placed, locked, and maintained inside the physical building of the licensed health care facility in a manner that prevents theft, diversion, and unauthorized access or medication removal.

(B) A Class N ADS must have an alarm mechanism that promptly alerts a designated member of the pharmacy's staff in the event of a security breach or unauthorized access to the system.

(C) Authorized access to the Class N ADS must be defined in the pharmacy's policies and procedures. The permit holder must be able to stop or change access to the Class N ADS as deemed necessary or appropriate.

(D) A perpetual inventory must be maintained for each Class N ADS that stocks controlled substances that is reconciled by pharmacy staff on a monthly basis.

(E) Class N ADS permit holders must maintain current policies and procedures for handling and investigating confirmed or suspected security breaches and medication losses or diversion, including but not limited to an escalation policy/procedure for addressing inventory discrepancies and policies/procedures for terminating system operations in the event of a security breach, inventory discrepancy, suspected loss/diversion, or unauthorized access to or loss of patient confidential information.

(F) Security breaches of the Class N ADS must be immediately investigated. Use/operation of the Class N ADS must immediately cease until the security breach has been rectified and proper security is restored. Any security breach of the Class N ADS must be documented and reported to the board in writing within three (3) business days of discovery.

(G) Any confirmed or suspected medication diversion/theft must be immediately investigated. Medication diversion/theft must be reported to the board in writing within three (3) business days of discovery.

(8) Policies and procedures. Class N ADS permit holders must maintain current and accurate written policies and procedures governing all aspects of Class N ADS activities, including but not limited to –

- (A) Staff education and training;
- (B) Maintaining the Class N ADS and the accompanying electronic verification process in good working order;
- (C) Maintaining and protecting system data and confidential information;
- (D) Granting, restricting, or terminating Class N ADS system access;
- (E) Filling, stocking, restocking, and loading the Class N ADS;
- (F) Removing expired, adulterated, misbranded, or recalled medication;
- (G) Temperature monitoring and documentation;
- (H) Prescription processing, verification, and recordkeeping, including handling/termination of discontinued prescriptions and medication/drug orders and as-needed prescriptions and medication/drug orders to prevent unauthorized dispensing;
- (I) Patient counseling, if applicable;
- (J) Ensuring cleanliness and sanitary operation of the device and preventing cross-contamination of cells, cartridges, containers, cassettes, or packages;
- (K) Emergency response procedures, including but not limited to addressing power outages and terminating system operations;
- (L) Monitoring medication inventory to prevent diversion, theft, or loss, including an escalation policy/procedure for addressing inventory discrepancies;
- (M) Security requirements, including policies/procedures for authorizing Class N ADS system access and terminating Class N ADS system operations in the event of a security breach;
- (N) Handling and investigating inventory discrepancies, suspected loss/diversion, or unauthorized access to or loss of patient confidential information;
- (O) Receiving, handling, documenting, and investigating alarm notifications/alerts in the event of a security breach or unauthorized access to the Class N ADS, as referenced in section (7);

- (P) Conducting routine and preventive system validation and maintenance;
- (Q) Quality assurance;
- (R) Handling, investigation, and reporting dispensing errors;
- (S) Recordkeeping; and
- (T) Data retention and retrieval.

(9) Records.

(A) Class N permit holders must maintain readily retrievable records of all Class N ADS transactions, including but not limited to all prescriptions and medication/drug orders processed and/or dispensed by the Class N ADS and records of all medication stocked in or removed from the Class N ADS.

(B) Prescriptions and medication/drug orders dispensed from a Class N ADS must be separately identifiable in the pharmacy's prescription records and individually retrievable from other prescriptions and medication/drug orders dispensed by the pharmacy. This requirement also applies to any Class J pharmacy dispensing prescriptions or medication/drug orders via a Class N ADS.

(C) Except as otherwise provided by this rule or other applicable law, all records required by this rule must be maintained a minimum of two (2) years and readily retrievable on request of the board or a board-authorized designee. Records maintained at a pharmacy must be produced immediately or within two (2) hours of a request from the board or the board's authorized designee, or by making a computer terminal available to the inspector for immediate use to review the records requested. Records not maintained at a pharmacy must be produced within three (3) business days of a board request.

*AUTHORITY: sections 338.140, 338.210, and 338.220, RSMo Supp. [2006] 2023, and [338.140 and] section 338.280, RSMo [2000] 2016. This rule originally filed as 4 CSR 220-2.900. Original rule filed Nov. 1, 2000, effective June 30, 2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 6, 2023.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment is estimated to cost private entities forty-five thousand dollars (\$45,000) annually, recurring over the life of the rule as reflected in the accompanying fiscal note.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

<p style="text-align: center;">FISCAL NOTE PRIVATE COST</p>

- I. Department Title: Department of Commerce and Insurance,**
Division Title: State Board of Pharmacy
Chapter Title: General Rules

Rule Number and Title:	20 CSR 2220-2.900 Automated Dispensing and Storage Systems
Type of Rulemaking:	Rule Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
30	Class N Automated Dispensing Pharmacies (New and Existing)	\$ 45,000 <i>in the aggregate recurring annually over the life of the rule</i>

III. ASSUMPTIONS/WORKSHEETS

The following general estimations were used to calculate private fiscal costs:

- Class N automated dispensing systems are currently governed by 20 CSR 2220-2.010 and 2220-2.900. Fiscal costs required by current 20 CSR 2220-2.010 and 20 CSR 2220-2.900 are not reflected herein.
- Based on current licensing data for similar Class N automated dispensing systems, the Board estimates approximately thirty (30) Class N automated dispensing systems will be operated annually in Missouri (includes new and existing licensees).
- Alarm system costs are estimated at \$ 1,500 annually per system, with total estimated annual costs of \$ 45,000 for all Class N systems (\$1,500 alarm costs per year X 30 Class N automated dispensing sites).
- Operation of a Class N automated dispensing system is *optional* for Board licensees/entities and not required. However, private fiscal costs have been estimated as reflected herein to ensure compliance with Chapter 536, RSMo. *No fiscal costs will be incurred for licensees electing not to operate a Class N automated dispensing system.*
- Total estimated costs are expected to recur over the life of the rule, may vary with inflation and increase at the rate projected by the Legislative Oversight Committee and the Internal Revenue Service.

**TITLE 20 – DEPARTMENT OF COMMERCE
AND INSURANCE
Division 2220 – State Board of Pharmacy
Chapter 2 – General Rules**

PROPOSED RULE

**20 CSR 2220-2.910 Class O: Automated Dispensing Systems
(Ambulatory Care)**

PURPOSE: This rule establishes licensing standards and requirements for Class O: Automated Dispensing Systems (Ambulatory Care).

(1) Definitions.

(A) “Ambulatory prescription dispensing system” – A Class O automated dispensing system (Class O ADS) used to process, verify, fill, label, and dispense a completed prescription/medication order for patient retrieval from the system using an electronic verification system.

(B) “Class O automated dispensing system” – A pharmacy license classification which allows the use of an ambulatory prescription dispensing system or a prescription pick-up system as defined by this rule at a specific location. A Class O ADS does not include an automated system used for compounding medication, a Class N automated dispensing system, or an automated filling system governed by 20 CSR 2220-2.950.

(C) “Electronic verification system” – An electronic verification, bar code verification, weight verification, radio frequency identification (RFID), or similar electronic process or system process used to verify and ensure medication/prescriptions have been properly stocked, restocked, loaded, filled, dispensed, or labeled.

(D) “Prescription pick-up system” – A Class O ADS that allows a patient to obtain a filled, labeled, and pharmacist-verified prescription/medication order placed in the system by or on behalf of a Missouri-licensed pharmacy for patient retrieval. A prescription pick-up system does not include a vacuum tube drug delivery system identified in 20 CSR 2220-2.800.

(E) “Supervising pharmacist” – A Missouri-licensed pharmacist designated to supervise a Class O ADS while the system is in operation.

(2) Licensing. Applicants for a Class O ADS pharmacy permit classification must file an application on a form approved by the board and pay the applicable fee. A pharmacy Change of Classification application is required for currently licensed Missouri pharmacies opting to add a Class O ADS classification to their existing Missouri pharmacy permit. Application fees to add or obtain a Class O ADS pharmacy permit shall be waived for Class N ADS permit holders licensed on the effective date of this rule for a period of six (6) months from this rule’s effective date.

(A) A Class O ADS permit may be used to operate all Class O ADSs located at the address designated on the permit. A Class O ADS may only be used by the permit holder, and may not be used to dispense prescriptions/medication orders for multiple pharmacies.

(B) The appropriate pharmacy permit classification is required for any pharmacy activities under the board’s jurisdiction that occur at the Class O ADS site other than operating the Class O ADS. Class O ADS pharmacies must comply with all requirements applicable to any additional pharmacy permit classifications held by the pharmacy, including but not limited to all applicable security and staff

supervision requirements. A Class J pharmacy permit is required for shared service activities, as provided in 20 CSR 2220-2.650.

(C) To be eligible for licensure, a Class O ADS must be located within the permitted address of a Missouri-licensed pharmacy where pharmacy services other than Class J Shared services, Class I Consultant services, or Class O ADS services are provided, or at an indoor location where health care services are regularly provided by a licensed health care provider at the same location. A Class O ADS must be located at an address recognized by the United States Postal Service and may not be located outside of a physical structure.

(D) Applicants may petition the board in writing to approve a Class O ADS at an alternative location to increase patient access to medication in an area where access to an ambulatory/community pharmacy is limited. Petition requests must include documentation or evidence demonstrating how the proposed Class O ADS location will expand patient access to medication and promote public health. The board will consider the following factors when determining petition requests:

1. The availability of pharmacy services in the proposed Class O ADS pharmacy area;
2. Benefits or risks to patient care;
3. Policies/procedures for ensuring adequate security;
4. The permit holder’s ability to promptly access the Class O ADS in the event of an emergency, which shall be no more than thirty (30) minutes;
5. The applicant’s experience and compliance history; and
6. Any other factor that may benefit or adversely impact public health.

(3) System requirements. A Class O ADS must be maintained in good working order and in a clean and sanitary manner. If applicable, a Class O ADS must be cleaned and disinfected on a regular basis using appropriate materials and agents.

(A) A sign must be conspicuously posted or electronically displayed on the Class O ADS that clearly identifies the permit holder’s name, address, the system’s hours of operation, and a telephone number for contacting the pharmacy during operational hours.

(B) A Missouri-licensed pharmacist must be capable of being physically present at the approved Class O ADS location within thirty (30) minutes in the event of an emergency or other system malfunction.

(C) A video surveillance system must be in place that allows the pharmacy to physically view the Class O ADS and the Class O ADS site at all times. A video surveillance system is not required if a pharmacist is present on-site and able to view the Class O ADS at all times the system is accessible to the public.

(D) Medication must be stored and maintained in a thermostatically controlled area within temperature and humidity requirements as provided in the Food and Drug Administration approved drug product labeling or the United States Pharmacopeia (USP).

(E) At a minimum, temperatures in drug storage areas of the Class O ADS must be recorded and reviewed daily. Alternatively, a continuous temperature monitoring system may be used to comply with this subsection, if the system maintains ongoing documentation of temperature recordings that promptly alerts pharmacy staff when temperatures are outside of the required range and provides the amount of variance.

(F) The Class O ADS system must use an electronic verification system to electronically verify and ensure prescriptions/medication orders are properly dispensed to the correct patient. The electronic verification system(s) must be validated

by a properly qualified board licensee or appropriately supervised board registrant designated by the pharmacy to ensure the system is functioning properly prior to first use and prior to restarting the system after an unanticipated system shutdown or interruption. Additional validation must occur if any modification to the Class O ADS occurs that changes or alters the dispensing or electronic verification process. Validation dates and results must be documented in writing and readily retrievable.

(G) The Class O ADS permit holder must regularly review system operations to ensure proper functioning. At a minimum, a Missouri-licensed pharmacist must visit and review Class O ADS operations weekly during the first month of system operations and monthly thereafter. The dates of the required weekly and monthly visits/reviews and the identity of the designated pharmacist must be documented and readily retrievable at the request of the board or the board's authorized designee. The permit holder shall remain responsible for Class O ADS services and ensuring proper functioning.

(H) An ongoing and documented quality assurance program must be established to monitor the performance of the Class O ADS. The quality assurance program must include procedures for handling and reporting dispensing errors, system malfunctions, and other compliance concerns.

(I) Notification of any dispensing error involving a Class O ADS that is dispensed to the patient must be submitted electronically or in writing to the board within ten (10) days of discovery. The required notification must include the date of the incident, patient name, description of the error, the applicable prescription/medication order number or unique identifier, and any corrective action taken.

(4) Standards of operation. A Class O ADS must be safely and properly operated at all times in compliance with applicable state and federal laws, including but not limited to all applicable controlled substance laws. Medication must be accurately dispensed and labeled.

(A) Medication may only be dispensed by a Class O ADS pursuant to a valid patient-specific prescription or medication order. A Class O ADS may not be used to dispense prescriptions/medication for multiple pharmacies.

(B) The Class O ADS must be supervised at all times it is in operation by a Missouri-licensed pharmacist who is either physically present at the Class O ADS site or who is supervising via an electronic system that allows the pharmacist to adequately view the Class O ADS and supervise all Class O ADS activities. The required pharmacist supervision may not be delegated to an intern pharmacist.

1. The supervising pharmacist must maintain full operational control over the Class O ADS whenever the Class O ADS is in operation, and must be able to terminate or suspend Class O ADS operations when deemed necessary or appropriate.

2. The required electronic system must provide a continuous real-time video link to allow the supervising pharmacist to see the entire Class O ADS site. A two- (2-) way communication mechanism must also be available that allows communication between the supervising pharmacist and any technicians or intern pharmacists present on-site. Medication may not be dispensed and the Class O ADS may not be operated if the required video link and audio communication are not fully functioning.

3. A supervising pharmacist may not supervise more than two (2) Class O ADSs at a time. The identity of the supervising pharmacist must be documented and maintained in the supervising pharmacy's records. Licensees may request a waiver of the supervision limit. The board will consider the factors in

subsection (2)(D) when determining waiver requests.

(C) For Class O ADS prescription pick-up systems, only filled and labeled prescriptions that have been verified by a pharmacist may be loaded in or dispensed from the Class O ADS prescription pick-up system, except as otherwise authorized by law. The entire dispensing process must be fully automated after the prescription/medication order is loaded into the Class O prescription pick-up system. No manual manipulation of the prescription/medication order or the affixed label may occur after the prescription/medication order is stocked, restocked, or loaded in the Class O ADS prescription pick-up system.

(D) For Class O ADS ambulatory prescription dispensing systems, the entire prescription/medication order filling, dispensing, and labeling process must be automated and the required prescription/medication label must be affixed by the Class O ADS ambulatory prescription dispensing system prior to dispensing from the Class O ADS ambulatory prescription dispensing system. No manual manipulation of the prescription/medication order or the affixed label may occur after the automated filling process is initiated.

(E) Medication may not be dispensed via a Class O ADS if the patient or the patient's authorized designee requests not to use the Class O ADS.

(5) Patient counseling. An offer to counsel must be made to the patient or the patient's authorized representative prior to a prescription or medication order being dispensed from a Class O ADS, except as otherwise required by law for Class R remote dispensing site pharmacies. The offer to counsel may be made verbally by authorized pharmacy staff or made electronically via the Class O ADS.

(A) Adequate space and equipment must be available to confidentially counsel patients. Live, real-time patient counseling must be provided if counseling is requested by the patient or otherwise required. If a pharmacist is not present on-site, two- (2-) way video and audio technology must be available that allows the pharmacist and patient to both view and communicate with each other. Medication may not be dispensed if the required video and audio technology is not fully functioning.

(B) Video monitors/screens used for patient counseling or communication must be a minimum of twelve inch (12") wide diagonally. Backlighting or other factors that may inhibit video performance must be taken into account when using video technology to counsel/communicate with patients.

(C) A sign must be conspicuously posted or continuously displayed electronically on the Class O ADS informing patients that a pharmacist will provide counseling either in-person or via the video/audio system on request. The sign must include clear instructions for requesting counseling and must be easily viewed and readable by the public.

(6) Stocking/restocking. Medication must be securely stocked, loaded, and reloaded in a Class O ADS in a manner that protects against theft or diversion, and in compliance with 20 CSR 2220-2.010.

(A) Only board licensees or registrants may stock, load, or restock a Class O ADS, as authorized by the supervising pharmacy's policies and procedures.

(B) For Class O ADS prescription pick-up systems, a pharmacist must physically verify that prescriptions/medication orders have been properly loaded into the Class O ADS prescription pick-up system. The identity of the verifying pharmacist must be documented and maintained in the pharmacy's records. Alternatively, an electronic verification system may be used to verify that prescriptions/medication orders have

been properly loaded into the Class O ADS prescription pick-up system, if no manual intervention with the prescription/medication order occurs after the electronic verification is completed. If authorized by a pharmacist, intern pharmacists or pharmacy technicians may load a Class O ADS prescription pick-up system without a pharmacist present or additional pharmacist verification if –

1. An electronic verification system is used to verify the prescription/medication order has been properly loaded into the ADS system;

2. No manual intervention with the prescription/medication order occurs after the electronic verification required by this subsection, other than removing the prescription/medication order by authorized pharmacy staff for return/destruction; and

3. The electronic verification system has been validated and revalidated as required by subsection (3)(F). Validation dates and results must be documented in writing and readily retrievable.

(C) For Class O ADS ambulatory prescription dispensing systems, an electronic verification system must be used to verify that medication or medication containers have been properly stocked, restocked, and loaded into the Class O ADS ambulatory prescription dispensing system. If authorized by a pharmacist, intern pharmacists or pharmacy technicians may stock, restock, or load manufacturer unit of use packages and repacked containers previously verified by a pharmacist into a Class O ADS ambulatory prescription dispensing system without a pharmacist present or additional pharmacist verification if –

1. An electronic verification system is used to verify the medication has been correctly stocked, restocked, or loaded;

2. No manual intervention with the manufacturer unit of use package or repacked container occurs after the required electronic verification required by this subsection occurs, other than removing the manufacturer unit of use package or repacked container by authorized pharmacy staff for return/destruction; and

3. The electronic verification system has been validated and revalidated as required by subsection (3)(F). Validation dates and results must be documented in writing and readily retrievable.

(D) Return-to-stock medication may be returned and re-used as authorized by 20 CSR 2220-3.040 or 20 CSR 2220-2.145 governing multi-med dispensing. No medication shall be returned directly to a Class O ADS for reissue or reuse by a person not licensed or registered by the Board of Pharmacy.

(E) The following documentation must be maintained and readily retrievable:

1. The date and time prescriptions/medication orders are stocked, loaded, restocked, and removed from the Class O ADS system;

2. The date and time medications are stocked, loaded, restocked, and removed from the Class O ADS system;

3. The identity of individuals stocking, loading, restocking, or removing prescriptions/medication orders and medication in the system; and

4. For Class O ADS ambulatory prescription dispensing systems, the identity of the pharmacist responsible for verifying the contents of any manufacturer unit of use packages and repacked containers stocked, restocked, or loaded into the Class O ADS ambulatory prescription dispensing system by an intern pharmacist or pharmacy technician without a pharmacist present.

(7) Security. Adequate security and supervision must be

maintained to prevent medication theft and diversion and unauthorized access to or use of the Class O ADS. Class O ADS permit holders must comply with all security provisions of this rule and 20 CSR 2220-2.010. Confidential records must be securely maintained to prevent unauthorized access to, and unauthorized storage/transfer of, confidential information.

(A) A Class O ADS must be securely placed, locked, and maintained at the address licensed by the board in a manner that prevents theft, diversion, or unauthorized access, or medication removal. Authorized access to the Class O ADS must be defined in the permit holder's policy and procedures.

(B) In addition to the requirements of section (8), written policies and procedures must be in place to immediately access, secure, remove, and store medication in the event of an emergency or security breach.

(C) The Class O ADS must have an alarm mechanism that promptly alerts a designated member(s) of the pharmacy's staff in the event of a security breach or unauthorized access to the Class O ADS. For Class O ADSs located outside of a Missouri-licensed pharmacy, the alarm must also alert local law enforcement in the event of a security breach or unauthorized access to the Class O ADS, if available. Additionally, a board licensee or registrant located in Missouri must have the authority to access and suspend operations of the Class O ADS if necessary.

(D) Confirmed or suspected security breaches of the Class O ADS must be immediately investigated. If confirmed, use/operation of the Class O ADS must immediately cease until the security breach has been rectified and proper security is restored. All security breaches of the Class O ADS must be documented and reported to the board in writing within three (3) business days of discovery.

(E) Any confirmed or suspected medication diversion/theft must be immediately investigated. Medication diversion/theft must be reported to the board in writing within three (3) business days of discovery.

(F) A perpetual inventory must be maintained for each Class O ambulatory prescription dispensing system stocking controlled substances that is reconciled by pharmacy staff on a monthly basis.

(8) Policies and procedures. Class O permit holders must maintain current and accurate written policies and procedures governing all aspects of Class O ADS activities, including but not limited to –

- (A) Staff education and training;

- (B) Maintaining the Class O ADS and the accompanying electronic verification process in good working order;

- (C) Maintaining and protecting system data and confidential information;

- (D) Granting, restricting, or terminating Class O ADS system access;

- (E) Filling, stocking, restocking, and loading the Class O ADS;

- (F) Removing expired, adulterated, misbranded, or recalled medication;

- (G) Temperature monitoring and documentation;

- (H) Prescription processing, verification, and recordkeeping;

- (I) Patient counseling;

- (J) Ensuring cleanliness and sanitary operation of the Class O ADS and preventing cross-contamination of cells, cartridges, containers, cassettes, or packages;

- (K) Emergency response procedures, including but not limited to addressing power outages and terminating and restarting Class O ADS operations;

- (L) Monitoring medication inventory to prevent diversion, theft, or loss, including an escalation policy/procedure for

addressing inventory discrepancies;

(M) Security requirements, including policies/procedures for authorizing Class O ADS access and terminating Class O ADS operations in the event of a confirmed or suspected security breach, inventory discrepancy, suspected loss/diversion, loss of patient confidential information, and unauthorized access to the Class O ADS;

(N) Receiving, handling, documenting, and investigating alarm notifications/alerts in the event of a security breach of the Class O ADS;

(O) Conducting routine and preventive system validation and maintenance of the Class O ADS;

(P) Quality assurance;

(Q) Handling, investigating, and reporting dispensing errors;

(R) Recordkeeping; and

(S) Data retention and retrieval.

(9) Records.

(A) Class O permit holders must maintain readily retrievable records of all Class O ADS transactions, including but not limited to all prescriptions and medication orders processed and/or dispensed by the Class O ADS and records of all medication stocked in or removed from the Class O ADS.

(B) Prescriptions and medication orders dispensed from a Class O ADS must be separately identifiable in the pharmacy's prescription records and individually retrievable from other prescriptions/medication orders maintained by the pharmacy. This requirement also applies to any Class J pharmacy dispensing prescriptions via a Class O ADS.

(C) Except as otherwise provided by this rule or other applicable law, all records required by this rule must be maintained for a minimum of two (2) years and readily retrievable on request of the board or a board-authorized designee. Records maintained at a pharmacy must be produced immediately or within two (2) hours of a request from the board or the board's authorized designee, or by making a computer terminal available to the inspector for immediate use to review the records requested. Records not maintained at a pharmacy must be produced within three (3) business days of a board request.

AUTHORITY: sections 338.140, 338.210, and 338.220, RSMo Supp. 2023, and section 338.280, RSMo, 2016. Original rule filed Sept. 6, 2023.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule is estimated to cost private entities \$1,110,720 annually, recurring over the life of the rule as reflected in the accompanying fiscal note.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Department of Commerce and Insurance**
Division Title: State Board of Pharmacy
Chapter Title: General Rules

Rule Number and Title:	20 CSR 2220-2.910 Class O: Automated Dispensing Systems (Ambulatory Care)
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
30	Class O Automated Dispensing Pharmacies (New and Existing)	\$ 1,110,720 <i>in the aggregate recurring annually over the life of the rule</i>

III. ASSUMPTIONS/WORKSHEETS

The following general estimations were used to calculate private fiscal costs:

- Operation of a Class O automated dispensing system is *optional* for Board licensees/entities and not required. However, private fiscal costs have been estimated as reflected herein to ensure compliance with Chapter 536, RSMo. *No fiscal costs will be incurred for licensees electing not to operate a Class O automated dispensing system.*
- Class O automated dispensing systems are currently governed by 20 CSR 2220-2.010 and 2220-2.900. Fiscal costs required by current 20 CSR 2220-2.010 and 20 CSR 2220-2.900 are not reflected herein.
- The Board does not have historical data to determine the number of potential Class O automated dispensing system pharmacy applicants. Based on current licensing data for similar Class N automated dispensing systems, the Board estimates approximately thirty (30) Class O automated dispensing systems will be operated annually in Missouri (includes new and existing licensees). Pharmacy application fees/costs are currently required by § 338.220 and rules 20 CSR 2220-2.020, 20 CSR 2220-2.025 and 20 CSR 2220-2.900, and are not included herein.
- The technology/automated dispensing system required by the rule is available for lease from industry providers. Based on available industry data, the Board estimates leasing costs of \$ 35,000 annually per Class O automated dispensing system. Total annual Class

O system costs are estimated at \$ 1,050,000 (\$ 35,000 x 30 estimated Class O automated dispensing systems). * *Operation of a Class O automated dispensing system is optional for Board licensees/entities and not required.*

- The Board estimates a pharmacist will be required to conduct approximately twenty (20) annual compliance/supervision visits of each Class O system site under rule requirements. No travel costs are estimated for Class O systems located within a pharmacy, however, an estimated fifteen (15) Class O automated dispensing sites may be located outside of a pharmacy. A pharmacist must be able to access a Class O automated dispensing site within thirty (30) minutes pursuant to the rule. Accordingly, the Board estimates round-trip mileage of 80 miles per pharmacist compliance/supervision site visit at an estimated mileage reimbursement rate of 65.5 cents per mile based on the 2023 standard mileage reimbursement rate recognized by the United States Internal Revenue Service. Total annual mileage costs are estimated at \$ 15,720 (\$ 52.40 round-trip mileage reimbursement X 20 visits per year X 15 estimated non-pharmacy Class O locations).
- Alarm system costs are estimated at \$ 1,500 annually per system, with total estimated annual costs of \$ 45,000 for all Class O systems (\$1,500 alarm costs per year X 30 Class O automated dispensing sites).
- Notifications required by the rule will be accepted electronically via the Board's website. Accordingly, no notification costs have been estimated.
- Total estimated costs are expected to recur over the life of the rule, may vary with inflation and increase at the rate projected by the Legislative Oversight Committee and the Internal Revenue Service.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted that has been changed from the text contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments that are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 90 – Weights, Measures and Consumer
Protection
Chapter 20 – Method of Sale for Products

ORDER OF RULEMAKING

By the authority vested in the Division of Weights, Measures and Consumer Protection under section 413.065, RSMo 2016, the division amends a rule as follows:

2 CSR 90-20.040 *NIST Handbook 130*, “Uniform Regulation for the Method of Sale of Commodities” **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2023 (48 MoReg 1009). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 90 – Weights, Measures and Consumer
Protection
Chapter 22 – Uniform Packaging and Labeling

ORDER OF RULEMAKING

By the authority vested in the Division of Weights, Measures and Consumer Protection under section 413.065, RSMo 2016, the division amends a rule as follows:

2 CSR 90-22.140 *NIST Handbook 130*, “Uniform Packaging and Labeling Regulation” **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2023 (48 MoReg 1009). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 90 – Weights, Measures and Consumer
Protection
Chapter 23 – Inspection of Packaged Commodities

ORDER OF RULEMAKING

By the authority vested in the Division of Weights, Measures and Consumer Protection under section 413.065, RSMo 2016, the division amends a rule as follows:

2 CSR 90-23.010 *NIST Handbook 133*, Technical Procedures and Methods for Measuring and Inspecting Packages or Amounts of Commodities **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2023 (48 MoReg 1009-1010). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 90 – Weights, Measures and Consumer
Protection
Chapter 25 – Price Verification

ORDER OF RULEMAKING

By the authority vested in the Division of Weights, Measures and Consumer Protection under section 413.065, RSMo 2016, the division amends a rule as follows:

2 CSR 90-25.010 Price Verification Procedures **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2023 (48 MoReg 1010). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.215 Permits and Privileges: How Obtained; Not Transferable is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1180-1182). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from twenty-seven (27) individuals on the proposed amendment.

COMMENT #1: The commission received comments from thirteen (13) individuals who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individuals who voiced support for the regulation changes.

COMMENT #2: The commission received comments from three (3) individuals who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who suggested the price increases be part of a larger fee structure that would include charging for non-consumptive use such as kayaking, bird watching, hiking, and biking.

RESPONSE: The commission thanks the individual for their

comments and will take them under consideration. However, as specific comments were not directly related to the proposed amendment, no changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who suggested all price adjustments occur in whole dollar amounts.

RESPONSE: The commission thanks the individual for their comments. The commission based its proposed permit-price increases on information from the Federal Bureau of Labor Statistics' Consumer Price Index (CPI) related to cost-of-living increases from 2008 to 2022. CPI is a commonly used measurement of the average changes over time in prices paid by consumers for consumer goods and services. The commission is recommending a gradual price increase over ten (10) years at a CPI of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. This formula may result in price increases which are not whole dollar amounts. No changes have been made to the rule as a result of this comment.

COMMENT #5: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also suggested increased penalties for *Wildlife Code of Missouri* violations which harm the environment.

RESPONSE: The commission thanks the individual for their comments. Penalties for *Wildlife Code of Missouri* violations are established by the legislature, and outside the department's authority. No changes have been made to the rule as a result of this comment.

COMMENT #6: The commission received comments from five (5) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #7: The commission received comments from three (3) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.250 Daily Hunting or Fishing Tags is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1183-1184). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from nineteen (19) individuals on the proposed amendment.

COMMENT #1: The commission received comments from seven (7) individuals who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individuals who voiced support for the regulation changes.

COMMENT #2: The commission received comments from two (2) individuals who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from six (6) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is

received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #5: The commission received comments from two (2) individuals who voiced opposition to proposed changes to this rule, and whose specific comments were that all trout parks have a daily limit of five (5) fish for five dollars (\$5) per adult daily tag.

RESPONSE: The commission thanks the individual for their comments. Moving from four (4) to five (5) fish per day at Maramec Spring Trout Park was part of a pilot project being conducted by the department. At the conclusion of the pilot project and based on citizen input, the decision was made to return to a four (4) fish daily limit. This reduces potential harvest early in the day and allows trout to stay in the stream longer, increasing angler harvest opportunity throughout the day. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.300 Apprentice Hunter Authorization is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1185-1186). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from five (5) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from three (3) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from one (1) individual who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

TITLE 3 – DEPARTMENT OF CONSERVATION

Division 10 – Conservation Commission

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.310 Resident Lifetime Conservation Partner Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1187-1188). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from seven (7) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from three (3) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from three (3) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit

prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.315 Resident Lifetime Fishing Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1189-1190). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from four (4) individuals on the proposed amendment.

COMMENT #1: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from two (2) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide

scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
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Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.320 Resident Lifetime Small Game Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1191-1192). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from four (4) individuals on the proposed amendment.

COMMENT #1: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from two (2) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased

and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

TITLE 3 – DEPARTMENT OF CONSERVATION
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Chapter 5 – Wildlife Code: Permits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission adopts a rule as follows:

3 CSR 10-5.324 Resident Lifetime Trapping Permit is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1193). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from five (5) individuals on the proposed rule.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individual who voiced support for the regulation changes.

COMMENT #2: The commission received comments from three (3) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from one (1) individual who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a

gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

TITLE 3 – DEPARTMENT OF CONSERVATION
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Chapter 5 – Wildlife Code: Permits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.330 Resident Small Game Hunting and Fishing Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1193-1194). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from eighteen (18) individuals on the proposed amendment.

COMMENT #1: The commission received comments from ten (10) individuals who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individuals who voiced support for the regulation changes.

COMMENT #2: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. **RESPONSE:** The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from four

(4) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from three (3) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-5.331 Resident National Guard and Reserve Service
Small Game Hunting and Fishing Permit is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1195). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from two (2) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individual for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from one (1) individual who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.340 Resident Fishing Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1195-1196). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from fourteen (14) individuals on the proposed amendment.

COMMENT #1: The commission received comments from eight (8) individuals who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individuals who voiced support for the regulation changes.

COMMENT #2: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit

prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from four (4) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from one (1) individual who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.345 Resident Small Game Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1197-1198). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from six (6) individuals on the proposed amendment.

COMMENT #1: The commission received comments from two (2) individuals who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individuals who voiced support for the regulation changes.

COMMENT #2: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from

one (1) individual who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.351 Resident Firearms Any-Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1199-1200). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from twenty-one (21) individuals on the proposed amendment.

COMMENT #1: The commission received comments from nine (9) individuals who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individuals who voiced support for the regulation changes.

COMMENT #2: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit

prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from six (6) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from five (5) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission

amends a rule as follows:

3 CSR 10-5.352 Resident Firearms Antlerless Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1201-1202). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from fourteen (14) individuals on the proposed amendment.

COMMENT #1: The commission received comments from five (5) individuals who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individuals who voiced support for the regulation changes.

COMMENT #2: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. **RESPONSE:** The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who suggested all price adjustments occur in whole dollar amounts.

RESPONSE: The commission thanks the individual for their comments. The commission based its proposed permit-price increases on information from the Federal Bureau of Labor Statistics' Consumer Price Index (CPI) related to cost-of-living increases from 2008 to 2022. CPI is a commonly used measurement of the average changes over time in prices paid by consumers for consumer goods and services. The commission is recommending a gradual price increase over ten (10) years at a CPI of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. This formula may result in price increases which are not whole dollar amounts. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from three (3) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #5: The commission received comments from four (4) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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Division 10 – Conservation Commission

Chapter 5 – Wildlife Code: Permits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.359 Resident Managed Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1203-1204). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from six (6) individuals on the proposed amendment.

COMMENT #1: The commission received comments from two (2) individuals who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individuals who voiced support for the regulation changes.

COMMENT #2: The commission received comments from one

(1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from three (3) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.360 Resident Archer's Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1205-1206). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from nine (9) individuals on the proposed amendment.

COMMENT #1: The commission received comments from two (2) individuals who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individuals who voiced support for the regulation changes.

COMMENT #2: The commission received comments from one

(1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from four (4) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.365 Resident Turkey Hunting Permits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1207-1208). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from eight (8) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individual who voiced support for the regulation changes.

COMMENT #2: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from one (1) individual who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individual for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from five (5) individuals who stated they opposed price increases

to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.370 Resident Trapping Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1209-1210). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from five (5) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individual who voiced support for the regulation changes.

COMMENT #2: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from two (2) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

TITLE 3 – DEPARTMENT OF CONSERVATION
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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.425 Resident Archery Antlerless Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1211-1212). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from five (5) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine

efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from two (2) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission withdraws a proposed amendment as follows:

3 CSR 10-5.430 Trout Permit is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1213-1214). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) partner organization on the proposed amendment.

COMMENT #1: The commission received comments from one (1) partner organization which stated they support permit price increases; however, they would prefer whole dollar amounts instead of the proposed fifty cent (.50) increase due to their policy of cash-only permit transactions and the impacts of dealing with change. The partner organization issues a high volume of permits where time is a factor and expressed concerns a fifty cent (.50) increase will slow down their operations and make it more difficult for their staff.

RESPONSE: The commission thanks the partner organization for their comments and recognizes a fifty cent (.50) increase could have detrimental impacts to several permit vendors statewide by creating a significant inconvenience. As a result, the commission is withdrawing this rulemaking.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.435 Migratory Bird Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1215-1216). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from four (4) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individual who voiced support for the regulation changes.

COMMENT #2: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers,

critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, who suggested all price adjustments occur in whole dollar amounts, and who suggested creating a nonresident Migratory Bird Hunting Permit at a price of fifty dollars (\$50).

RESPONSE: The commission thanks the individual for their comments. The commission based its proposed permit-price increases on information from the Federal Bureau of Labor Statistics' Consumer Price Index (CPI) related to cost-of-living increases from 2008 to 2022. CPI is a commonly used measurement of the average changes over time in prices paid by consumers for consumer goods and services. The commission is recommending a gradual price increase over ten (10) years at a CPI of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. This formula may result in price increases which are not whole dollar amounts. The commission will take the specific comment regarding creation of a Nonresident Migratory Bird Hunting Permit under consideration. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from one (1) individual who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individual for their comments. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.436 Resident Conservation Order Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1217-1218). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission withdraws a proposed amendment as follows:

3 CSR 10-5.440 Daily Fishing Permit is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1219-1220). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) partner organization on the proposed amendment.

COMMENT #1: The commission received comments from one (1) partner organization which stated they support permit price increases; however, they would prefer whole dollar amounts instead of the proposed fifty cent (.50) increase due to their policy of cash-only permit transactions and the impacts of dealing with change. The partner organization issues a high volume of permits where time is a factor and expressed concerns a fifty cent (.50) increase will slow down their operations and make it more difficult for their staff.

RESPONSE: The commission thanks the partner organization for their comments and recognizes a fifty cent (.50) increase could have detrimental impacts to several permit vendors statewide by creating a significant inconvenience. As a result, the commission is withdrawing this rulemaking.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.445 Daily Small Game Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1221-1222). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) individual on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. RESPONSE: The commission thanks the individuals for their

comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.460 Licensed Hunting Preserve Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1223). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) individual on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced opposition to proposed changes to this rule, and who stated the permit fee should be the same as a comparable out-of-state license fee for the same species.

RESPONSE: The commission thanks the individual for their comments. Not all hunters that hunt on a licensed hunting preserve are nonresidents. Furthermore, because a wide diversity of species may be hunted within a licensed hunting preserve, it would be impractical and complicated to create species-specific permits. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.465 Three-Day Licensed Hunting Preserve Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1223-1224). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.540 Nonresident Fishing Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1225-1226). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from (4) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased

and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from one (1) individual who voiced opposition to proposed changes to this rule, and who stated all veterans and anyone over the age of sixty-five (65) should be exempt from fees to fish or hunt.

RESPONSE: The commission thanks the individual for their comments and will take them under consideration. Veterans with a sixty percent (60%) or greater service-connected disability are currently exempt from the general fishing and small game hunting permit requirements. Additionally, nonresident veterans with a service-connected disability of sixty percent (60%) or greater may obtain deer and turkey permits at resident price. Missouri residents age sixty-five (65) and older are currently exempt from the general fishing and small game hunting permit requirements. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.545 Nonresident Small Game Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1227-1228). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from two (2) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an

affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from one (1) individual who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individual for their comments. No changes have been made to the rule as a result of this comment.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.551 Nonresident Firearms Any-Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1229-1230). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from fourteen (14) individuals on the proposed amendment.

COMMENT #1: The commission received comments from eight (8) individuals who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide

scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from two (2) individuals who voiced opposition to the proposed changes to this rule, and who stated nonresident permit price increases should be higher.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from two (2) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers,

critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.552 Nonresident Firearms Antlerless Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1231-1232). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from five (5) individuals on the proposed amendment.

COMMENT #1: The commission received comments from two (2) individuals who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from two (2) individuals who voiced support for proposed changes to this rule, and who stated nonresident permit price increases should be higher.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nation-wide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from one (1) individual who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individual for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from one (1) individual who voiced opposition to proposed changes to this rule, and who suggested reduced nonresident permit prices for immediate family members of Missouri landowners.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.554 Nonresident Archery Antlerless Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1233-1234). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from four (4) individuals on the proposed amendment.

COMMENT #1: The commission received comments from two (2) individuals who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from two (2) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they

travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

**Title 3 – DEPARTMENT OF CONSERVATION
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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.559 Nonresident Managed Deer Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1235). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from four (4) individuals on the proposed amendment.

COMMENT #1: The commission received comments from two (2) individuals who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price

Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from two (2) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.560 Nonresident Archer's Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1235-1236). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from thirteen (13) individuals on the proposed amendment.

COMMENT #1: The commission received comments from five (5) individuals who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri

residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from four (4) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #4: The commission received comments from two (2) individuals who voiced opposition to proposed changes to this rule, and who stated nonresident permit price increases should be higher.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue

hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-5.565 Nonresident Turkey Hunting Permits
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1237-1238). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from two (2) individuals on the proposed amendment.

COMMENT #1: The commission received comments from two (2) individuals who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individuals for their comments. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-5.567 Nonresident Conservation Order Permit
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1239-1240). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-5.570 Nonresident Furbearer Hunting and Trapping
Permit is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1241-1242). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-5.576 Nonresident Landowner Firearms Any-Deer
Hunting Permit is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1243-1244). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from four (4) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue

hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from one (1) individual who voiced support for the proposed changes to this rule, and who stated nonresident permit price increases should be higher.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from two (2) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance

between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

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ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.579 Nonresident Landowner Firearms Turkey Hunting Permits is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1245-1246). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) individual on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.580 Nonresident Landowner Archer's Hunting Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1247-1248). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from four (4) individuals on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule, and who also indicated support for raising nonresident permit prices by a larger margin, comparable to what a Missouri resident would need to pay to hunt or fish out of state. RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #2: The commission received comments from two (2) individuals who stated they opposed price increases to resident permits, and who support price increases for nonresident permits.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide

scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

COMMENT #3: The commission received comments from one (1) individual who voiced opposition to the proposed changes to this rule, and who stated nonresident permit price increases should be higher.

RESPONSE: The commission thanks the individuals for their comments. Feedback is routinely received from Missouri residents who would like to see considerably higher permit prices for nonresident hunters and anglers, while feedback is received from former Missouri residents who wish to continue hunting and fishing with resident family and friends at an affordable price. It is also recognized that nonresident hunters and anglers provide a benefit to the state in a number of ways including their support of local economies when they travel and stay in Missouri to hunt and fish. On a nationwide scale, the hunting and fishing population is declining and limiting hunting and fishing opportunity may undermine efforts to recruit, retain, and reactivate hunters and anglers, critical components in preserving North America's hunting and fishing heritage. While it is difficult to strike a balance between those who want nonresident permit prices increased and those who would like to see them reduced, much effort is made to arrive at a price believed to be fair and agreeable to most stakeholders. The commission is recommending a gradual price increase over ten (10) years at a Consumer Price Index of seventy-five percent (75%) for resident permits and one hundred percent (100%) for non-resident and commercial permits. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.600 Resident Firearms Deer Management Assistance Program Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1249). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 5 – Wildlife Code: Permits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-5.605 Nonresident Firearms Deer Management Assistance Program Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1249). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 6 – Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.405 General Provisions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1249). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) individual on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the individual who voiced support for the regulation changes.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 6 – Wildlife Code: Sport Fishing: Seasons,
Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-6.535 Trout is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1250). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) individual and one (1) organization on the proposed amendment.

COMMENT #1: The commission received comments from one (1) organization which voiced support for proposed changes to this rule.

RESPONSE: The commission thanks the organization that voiced support for the regulation changes.

COMMENT #2: The commission received comments from one (1) individual who voiced opposition to proposed changes to this rule, and who stated their preference for a daily limit of five (5) fish at all trout parks.

RESPONSE: The commission thanks the individual for their comments. Moving from four (4) to five (5) fish per day at Maramec Spring Trout Park was part of a pilot project being conducted by the department. At the conclusion of the pilot project and based on citizen input, the decision was made to return to a four (4) fish daily limit. This reduces potential harvest early in the day and allows trout to stay in the stream longer, increasing angler harvest opportunity throughout the day. No changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.350 Class I Wildlife Breeder Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1250-1251). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.351 Class II Wildlife Breeder Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1252). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.352 Class III Wildlife Breeder Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1252). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.370 Wildlife Exhibitor Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1252). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.420 Wildlife Hobby Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1253). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) individual on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced opposition to proposed changes to the rule, and whose specific comments pertained to allowing the possession of skunks by holders of a Wildlife Hobby Permit. RESPONSE: The commission thanks the individual for their comments. As specific comments did not directly relate to the proposal, no changes have been made to the rule as a result of this comment.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.425 Wildlife Collector's Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1253-1254). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.440 Resident Falconry Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1255). No changes have been made

to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.560 Licensed Hunting Preserve Permit **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1255-1256). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) individual on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced general opposition to proposed changes to this rule.

RESPONSE: The commission thanks the individual for their comment. No changes have been made to the rule as a result of this comment.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.565 Licensed Hunting Preserve: Privileges **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1257-1259). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.570 Hound Running Area Operator and Dealer Permit **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1259-1260). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.575 Hound Running Area: Privileges, Requirements **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1260). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) individual on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced opposition to proposed changes to this rule, stating hounds will chase other animals and interfere with those who are hunting.

RESPONSE: The commission thanks the individual for their comments and will take them under consideration. However, as specific comments were not directly related to the proposed amendment, no changes have been made to the rule as a result of this comment.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.625 Field Trial Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1260-1262). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-9.627 Dog Training Area Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1263-1264). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 9 – Wildlife Code: Confined Wildlife:
Privileges, Permits, Standards**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

**3 CSR 10-9.640 Licensed Trout Fishing Area Permit
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1265). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 10 – Wildlife Code: Commercial Permits:
Seasons, Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission withdraws a proposed amendment as follows:

3 CSR 10-10.707 Resident Fur Dealer's Permit is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1265-1266). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Conservation Commission received comments from four (4) individuals and one (1) stakeholder association on the proposed amendment.

COMMENT #1: The commission received comments from four (4) individuals and one (1) stakeholder association who voiced opposition to proposed changes to this rule, stating the increase would deter the few remaining fur buyers from participating in an already challenging market and create additional hardship for Missouri trappers. The organization also suggested the creation of a three- (3-) day fur dealer's permit at a reduced rate.

RESPONSE: The commission thanks the individuals and association for their comments and recognizes raising the cost of fur dealer's permits could result in a further reduction in the number of available fur buyers for Missouri trappers. As a result, the commission has determined not to increase the cost of a resident fur dealer's permit at this time and is withdrawing this rulemaking. The creation of a three- (3-) day fur dealer's permit is outside the scope of this regulation proposal, however; the furbearer working group has been tasked with researching potential implementation of such a permit.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 10 – Wildlife Code: Commercial Permits:
Seasons, Methods, Limits**

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission withdraws a proposed amendment as follows:

**3 CSR 10-10.708 Nonresident Fur Dealer's Permit is
withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1267-1268). Those sections with changes are reprinted here. This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Conservation Commission received comments from five (5) individuals and one (1) stakeholder association on the proposed amendment.

COMMENT #1: The commission received comments from five (5) individuals and one (1) stakeholder association who voiced opposition to proposed changes to this rule, stating the increase would deter the few remaining fur buyers from participating in an already challenging market and create additional hardship for Missouri trappers. The organization also suggested the creation of a three- (3-) day fur dealer's permit at a reduced rate.

RESPONSE: The commission thanks the individuals and association for their comments and recognizes raising the cost of fur dealer's permits could result in a further reduction in the number of available fur buyers for Missouri trappers. As a result, the commission has determined not to increase the cost of a nonresident fur dealer's permit at this time and is withdrawing this rulemaking. The creation of a three- (3-) day fur dealer's permit is outside the scope of this regulation proposal, however; the furbearer working group has been tasked with researching potential implementation of such a permit.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 10 – Wildlife Code: Commercial Permits:
Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-10.720 Commercial Fishing Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1269-1271). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 10 – Wildlife Code: Commercial Permits:
Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-10.722 Resident Roe Fish Commercial Harvest Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1272). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 10 – Wildlife Code: Commercial Permits:
Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-10.724 Nonresident Mississippi River Roe Fish Commercial Harvest Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1272). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 10 – Wildlife Code: Commercial Permits:
Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-10.728 Roe Fish Dealer Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1272-1273). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 10 – Wildlife Code: Commercial Permits:
Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-10.732 Tag and Release Fishing Promotion Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1273). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February**

29, 2024.

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 10 – Wildlife Code: Commercial Permits:
Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-10.744 Commercial Game Processing: Permit, Privileges, Requirements **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1273-1274). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024.**

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 10 – Wildlife Code: Commercial Permits:
Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-10.767 Taxidermy; Tanning: Permit, Privileges, Requirements **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1275-1276). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024.**

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 10 – Wildlife Code: Commercial Permits:
Seasons, Methods, Limits

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-10.788 Resident Commercial Live Coyote and Fox

Trapping Permit **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1277). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024.**

SUMMARY OF COMMENTS: No comments were received.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 11 – Wildlife Code: Special Regulations for
Department Areas

ORDER OF RULEMAKING

By authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-11.215 is amended.

This rule establishes length limits for flathead catfish and is exempted by sections 536.021, RSMo, from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-11.215 by adding Che-Ru Lake (Fountain Grove Conservation Area) to the list of department areas or individually named lakes where the minimum length limit for flathead catfish is twenty-four inches (24") in total length.

3 CSR 10-11.215 Fishing, Length Limits

(6) Flathead catfish less than twenty-four inches (24") total length must be returned to the water unharmed immediately after being caught on the following areas:

- (A) Che-Ru Lake (Fountain Grove Conservation Area);
- (B) Limpp Community Lake; and
- (C) Little Compton Community Lake Conservation Area.

This amendment was filed September 8, 2023, becomes effective **September 18, 2023.**

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 12 – Wildlife Code: Special Regulations for
Areas Owned by Other Entities

ORDER OF RULEMAKING

By authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.125 is amended.

This rule prohibits hunting and trapping on areas under management agreement with the department and is exempted by sections 536.021, RSMo, from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-12.125 by adding Jefferson City (Hough Park Lake and McKay Park Lake), Taos (Countryside Park Lake), and Tipton (Tipton Park Lake) to the list of areas under management agreement with the department where hunting and trapping are prohibited.

3 CSR 10-12.125 Hunting and Trapping

(1) Hunting, under statewide permits, seasons, methods, and limits, is permitted except as further restricted in this chapter and except for deer and turkey hunting as authorized in the annual *Fall Deer & Turkey Hunting Regulations and Information* booklet published in August and annual *Spring Turkey Hunting Regulations and Information* booklet published in March, which are incorporated in this *Code* by reference. A printed copy of these booklets can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180 and are also available online at www.missouriconservations.org. This rule does not incorporate any subsequent amendments or additions.

(B) Hunting is prohibited on the following areas:

1. Belton (Cleveland Lake);
2. Bethany (Old Bethany City Reservoir);
3. California (Proctor Park Lake);
4. Carthage (Kellogg Lake);
5. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, Twin Lakes);
6. Dexter City Lake;
7. Farmington (Giessing Lake, Hager Lake, Thomas Lake);
8. Fenton (Preslar Lake, Upper Fabick Lake, Westside Park Lake);
9. Fulton (Morningside Lake, Truman Lake, Veterans Park Lake);
10. Hamilton City Lake;
11. Hannibal (Huckleberry Lake);
12. Harrisonville (Lake Luna, North Lake, Upper Lake);
13. Jackson (Rotary Lake);
14. Jackson County (Fleming Pond, Lake Jacomo, Prairie Lee Lake);
15. Jefferson City (Hough Park Lake and McKay Park Lake);
16. Kearney (Jesse James Park Lake);
17. Kirksville (Spur Pond);
18. Lawson City Lake;
19. Liberty (Capitol Federal® Sports Complex Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);
20. Mexico (Lakeview Lake, Kiwanis Lake);
21. Mineral Area College (Quarry Pond);
22. Moberly (Rothwell Park Lake, Water Works Lake);
23. Odessa (Lake Venita);
24. Overland (Wild Acres Park Lake);
25. Perry County (Legion Lake 1);
26. Potosi (Roger Bilderback Lake);
27. Raymore (Johnston Lake);
28. Rolla (Schuman Park Lake);
29. St. Ann (Gendron Lake);
30. St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);
31. St. James (Scioto Lake);
32. St. Joseph (Krug Park Lagoon);
33. St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake);
34. Savannah City Lake;
35. Sedalia (Clover Dell Park Lake);
36. Sedalia Water Department (Spring Fork Lake);
37. Taos (Countryside Park Lake);
38. Tipton (Tipton Park Lake);
39. Union (Union City Lake);

40. University of Missouri (Thomas S. Baskett Wildlife Research and Education Center);
41. Warrensburg (Lions Lake);
42. Watershed Committee of the Ozarks (Valley Water Mill Lake);
43. Wentzville (Community Club Lake, Heartland Lake);
- and
44. Windsor (Farrington Park Lake).

This amendment was filed September 8, 2023, becomes effective **September 18, 2023**.

TITLE 3 – DEPARTMENT OF CONSERVATION

Division 10 – Conservation Commission

Chapter 12 – Wildlife Code: Special Regulations for Areas Owned by Other Entities

ORDER OF RULEMAKING

By authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.140 is amended.

This rule establishes limits for black bass and is exempted by sections 536.021, RSMo, from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-12.140 by adding Osage Beach (Osage Beach City Park Lake) to the list of areas under management agreement with the department where the daily limit of black bass shall be two (2).

3 CSR 10-12.140 Fishing, Daily and Possession Limits

(2) The daily limit for black bass is two (2) on the following lakes:

- (A) Arrow Rock State Historic Site (Big Soldier Lake);
- (B) Ballwin (New Ballwin Park Lake, Vlasik Park Lake);
- (C) Belton (Cleveland Lake)
- (D) Blue Springs (Lake Remembrance);
- (E) Butler City Lake;
- (F) Columbia (Stephens Park Lake, Twin Lakes);
- (G) Concordia (Edwin A. Pape Lake);
- (H) Confederate Memorial State Historic Site lakes;
- (I) Fenton (Preslar Lake, Upper Fabick Lake, Westside Park Lake);
- (J) Ferguson (January-Wabash Lake);
- (K) Higginsville (Higginsville City Lake, Upper Higginsville City Lake);
- (L) Jackson County (Lake Jacomo, Prairie Lee Lake);
- (M) Jefferson City (McKay Park Lake);
- (N) Jennings (Koeneman Park Lake);
- (O) Kearney (Jesse James Park Lake);
- (P) Keytesville (Maxwell Taylor Park Pond);
- (Q) Kirkwood (Walker Lake);
- (R) Liberty (Capitol Federal® Sports Complex Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);
- (S) Mexico (Teal Lake);
- (T) Mineral Area College (Quarry Pond);
- (U) Osage Beach (Osage Beach City Park Lake);
- (V) Overland (Wild Acres Park Lake);
- (W) Potosi (Roger Bilderback Lake);
- (X) Raymore (Johnston Lake);
- (Y) Sedalia Water Department (Spring Fork Lake);

(Z) St. Ann (Gendron Lake);
(AA) St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake);
(BB) St. Joseph (Corby Pond);
(CC) St. Louis (Benton Park Lake, Boathouse Lake, Fairgrounds Park Lake, Horseshoe Lake, Hyde Park Lake, Jefferson Lake, Lafayette Park Lake, North Riverfront Park Lake, O'Fallon Park Lake, North Lake, South Lake);
(DD) St. Louis County (Bee Tree Park Lake, Blackjack Lake, Carp Lake, Creve Coeur Park Lake, Fountain Lake, Island Lake, Jarville Lake, Simpson Park Lake, Spanish Lake, Sunfish Lake, Tilles Park Lake);
(EE) Union (Union City Lake);
(FF) Warrensburg (Lions Lake);
(GG) Watkins Mill State Park (Williams Creek Lake);
(HH) Wentzville (Community Club Lake, Heartland Lake);
and
(II) Windsor (Farrington Park Lake).

This amendment was filed September 8, 2023, becomes effective **September 18, 2023**.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 12 – Wildlife Code: Special Regulations for
Areas Owned by Other Entities

ORDER OF RULEMAKING

By authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.145 is amended.

This rule establishes length limits for black bass and is exempted by sections 536.021, RSMo, from the requirements for filing as a proposed amendment.

The Department of Conservation amended 3 CSR 10-12.145 by adding Osage Beach (Osage Beach City Park Lake) to the list of areas under management agreement with the department where the minimum daily length limit for black bass shall be fifteen inches (15").

3 CSR 10-12.145 Fishing, Length Limits

(2) Black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught, except as follows:

(A) Black bass less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on the following lakes:

1. Arrow Rock State Historic Site (Big Soldier Lake);
2. Belton (Cleveland Lake);
3. Bethany (Old Bethany City Reservoir);
4. Blue Springs (Lake Remembrance);
5. Butler City Lake;
6. Cameron (Century Lake, Eagle Lake, Grindstone Lake, Sunrise Lake);
7. Cape Girardeau (Capaha Park Lake);
8. Carthage (Kellogg Lake);
9. Columbia (Stephens Park Lake);
10. Concordia (Edwin A. Pape Lake);
11. Confederate Memorial State Historic Site lakes;
12. Dexter City Lake;

13. East Prairie (K. S. Simpkins Park Pond);
14. Farmington (Asher Lake, Hager Lake, Giessing Lake, Thomas Lake);
15. Hamilton City Lake;
16. Harrison County Lake;
17. Higginsville (Higginsville City Lake, Upper Higginsville City Lake);
18. Holden City Lake;
19. Jackson (Litz Park Lake, Rotary Lake);
20. Jackson County (Lake Jacomo, Prairie Lee Lake);
21. Jefferson City (McKay Park Lake);
22. Kearney (Jesse James Park Lake);
23. Keytesville (Maxwell Taylor Park Pond);
24. Kirksville (Hazel Creek Lake);
25. Liberty (Capitol Federal® Sports Complex Ponds Nos. 1, 2, 3, 4, 5, 6, 7, and 8);
26. Marble Hill (Pellegrino Lake);
27. Mark Twain National Forest (Fourche Lake, Huzzah Pond, Loggers Lake, McCormack Lake, Noblett Lake, Roby Lake);
28. Maysville (Willow Brook Lake);
29. Mineral Area College (Quarry Pond);
30. Odessa (Lake Venita);
31. Osage Beach (Osage Beach City Park Lake);
32. Pershing State Park ponds;
33. Potosi (Roger Bilderback Lake);
34. Raymore (Johnston Lake);
35. Sikeston (Sikeston Recreation Complex Lake);
36. Unionville (Lake Mahoney);
37. University of Missouri (McCredie Lake);
38. Warrensburg (Lions Lake);
39. Watkins Mill State Park (Williams Creek Lake); and
40. Windsor (Farrington Park Lake).

This amendment was filed September 8, 2023, becomes effective **September 18, 2023**.

TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 12 – Wildlife Code: Special Regulations for
Areas Owned by Other Entities

ORDER OF RULEMAKING

By the authority vested in the Conservation Commission under sections 40 and 45 of Art. IV, Mo. Const., the commission amends a rule as follows:

3 CSR 10-12.150 Fishing, Trout Parks is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1277). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective **February 29, 2024**.

SUMMARY OF COMMENTS: The Conservation Commission received comments from one (1) individual on the proposed amendment.

COMMENT #1: The commission received comments from one (1) individual who voiced opposition to proposed changes to this rule, and who stated their preference for a daily limit of five (5) fish at all trout parks.

RESPONSE: The commission thanks the individual for their

comments. Moving from four (4) to five (5) fish per day at Maramec Spring Trout Park was part of a pilot project being conducted by the department. At the conclusion of the pilot project and based on citizen input, the decision was made to return to a four (4) fish daily limit. This reduces potential harvest early in the day and allows trout to stay in the stream longer, increasing angler harvest opportunity throughout the day. No changes have been made to the rule as a result of this comment.

TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT

Division 10 – Commissioner of Higher Education Chapter 2 – Student Financial Assistance Programs

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Higher Education and Workforce Development under section 173.2500, RSMo Supp. 2023, the department adopts a rule as follows:

6 CSR 10-2.080 Higher Education Academic Scholarship Program **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2023 (48 MoReg 1010-1013). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT

Division 10 – Commissioner of Higher Education Chapter 9 – Consumer Information

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Higher Education and Workforce Development under section 173.2500, RSMo Supp. 2023, the department adopts a rule as follows:

6 CSR 10-9.020 Approved Dual Credit Provider **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2023 (48 MoReg 955-956). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one comment.

COMMENT: Susan Goldammer, from the Missouri School Boards' Association, commented: "The Department is proposing a rule on dual credit providers. I am wondering if the correct term is 'dual credit' or 'dual enrollment.' The Department of Elementary and Secondary Education has a Graduation Handbook that provides guidance to school

districts: <https://dese.mo.gov/graduation-handbook>. On page 10 of the handbook DESE distinguishes dual credit (college courses taught in the high school by a high school teacher) from dual enrollment (college courses taught at the college by a college professor). School districts get these terms confused a lot. It would be helpful if the regulations are consistent."

RESPONSE: The rule is created in reference to becoming an approved dual credit provider and does not use the term dual enrollment. No changes have been made as a result of this comment.

TITLE 13 – DEPARTMENT OF SOCIAL SERVICES

Division 70 – MO HealthNet Division

Chapter 4 – Conditions of Participant Participation, Rights, and Responsibilities

ORDER OF RULEMAKING

By the authority vested in the Department of Social Services, MO HealthNet Division, under sections 208.201, 208.215, and 660.017, RSMo 2016, the division amends a rule as follows:

13 CSR 70-4.120 Department is the Payer of Last Resort, Department's Claim for Recovery, Participant's Duty of Cooperation **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2023 (48 MoReg 921-922). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 15 – ELECTED OFFICIALS

Division 40 – State Auditor

Chapter 3 – Rules Applying to Political Subdivisions

ORDER OF RULEMAKING

By the authority vested in the State Auditor under section 105.145, RSMo Supp. 2023, the auditor amends a rule as follows:

15 CSR 40-3.030 Annual Financial Reports of Political Subdivisions **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1306-1307). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 19 – DEPARTMENT OF HEALTH AND
SENIOR SERVICES**

**Division 30 – Division of Regulation and Licensure
Chapter 20 – Hospitals**

ORDER OF RULEMAKING

By the authority vested in the Department of Health and Senior Services under section 197.287, RSMo Supp. 2023, the department amends a rule as follows:

19 CSR 30-20.125 Unlicensed Assistive Personnel Training Program **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1307). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2010 – Missouri State Board of Accountancy
Chapter 2 – General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Accountancy under section 326.262, RSMo 2016, the board rescinds a rule as follows:

20 CSR 2010-2.140 Granting of Credit for the Examination **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1308). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2010 – Missouri State Board of Accountancy
Chapter 2 – General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Accountancy under section 326.262, RSMo 2016, the board adopts a rule as follows:

20 CSR 2010-2.140 Granting of Credit for the Examination **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1308-1309). No changes have been made to the text of the proposed rule, so it is not reprinted here.

This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2234 – Board of Private Investigator and
Private Fire Investigator Examiners
Chapter 1 – General Rules**

ORDER OF RULEMAKING

By the authority vested in the Board of Private Investigator and Private Fire Investigator Examiners under section 324.1138, RSMo 2016, the board amends a rule as follows:

20 CSR 2234-1.050 Fees **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2023 (48 MoReg 1309). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 4240 – Public Service Commission
Chapter 18 – Safety Standards**

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250, 386.310, and 394.160, RSMo 2016, the commission amends a rule as follows:

20 CSR 4240-18.010 Safety Standards for Electrical Corporations, Telecommunications Companies, and Rural Electric Cooperatives **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on May 15, 2023 (48 MoReg 926). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The public comment period ended June 14, 2023, and the commission held a public hearing on the proposed amendment on June 20, 2023. The commission did not receive any written comments, and no one offered a comment at the public hearing.

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

**NOTICE OF CORPORATION DISSOLUTION
TO ALL CREDITORS OF AND CLAIMANTS AGAINST SONSHINE LAWN AND LANDSCAPING, INC**

On August 30, 2023, SONSHINE LAWN AND LANDSCAPING, INC., a Missouri corporation, Charter Number 00435028, filed its Articles of Dissolution by Voluntary Action with the Missouri Secretary of State. All persons or organizations having claims against SONSHINE LAWN AND LANDSCAPING, INC., are required to present them immediately in writing to:

Gayle Evans, Attorney at Law
CHINNERY EVANS & NAIL, P.C.
800 NE Vanderbilt Lane
Lee's Summit, MO 64064

Each claim must contain the following information:

1. Name and current address of the claimant.
2. A clear and concise statement of the facts supporting the claim.
3. The date the claim was incurred.
4. The amount of money or alternate relief demanded.

NOTE: CLAIMS AGAINST SONSHINE LAWN AND LANDSCAPING, INC., WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN TWO (2) YEARS AFTER THE PUBLICATION OF THIS NOTICE

**NOTICE OF WINDING UP TO ALL CREDITORS OF AND CLAIMANTS AGAINST
DSHER, INC**

On June 6, 2023, DSher, Inc., a Missouri corporation (the "Company"), filed Articles of Dissolution by Voluntary Action with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against the Company you must submit the claim in writing to: David S. Spewak, 8000 Maryland Avenue, Suite 1500, St. Louis, MO 63105. The claim must include:

1. The name, address and telephone number of the claimant.
2. The amount of the claim.
3. The date on which the event occurred on which the claim is based.
4. A brief description of the nature of or the basis for the claim.

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS
AND CLAIMANTS OF FOUR HANDS FARMS, LLC**

You are hereby notified that Four Hands Farms, LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 25th day of August, 2023. In order to file a claim with the Company, you must furnish:

1. The name and address of the claimant;
2. Amount of claim;
3. Basis for the claim;
4. Documentation of the claim; and
5. The date(s) on which the event(s) on which the claim is based occurred.

The claim must be mailed to Four Hands Farms, LLC, c/o Carmody MacDonald P.C., Attn: Mark A. Mulchek, 120 S. Central Ave., Ste. 1800, St. Louis, MO 63105. A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF WINDING-UP TO ALL CREDITORS AND CLAIMANTS
AGAINST GOLDEN & PINE LLC**

Golden & Pine LLC, a Missouri limited liability company (the “Company”), filed its Notice of Winding-Up with the Missouri Secretary of State, effective on September 6, 2023. Any and all claims against the Company may be sent to SPENCER FANE LLP, 1000 Walnut Street, Suite 1400, Kansas City, Missouri, 64106. Each claim should include the following information: the name, address and telephone number of the claimant; the amount claimed; the date on which the claim arose; the basis for the claim and documentation for the claim. Any and all claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMS AGAINST PLAZA PROGRESS, LLC**

On September 14, 2023, Plaza Progress, LLC, a Missouri limited liability company (the “Company”), filed its Articles of Termination with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against the Company, you must submit a summary in writing of the circumstances surrounding your claim to Levy Craig Law Firm, Attn: Jeff Bauer, 4520 Main Street, Suite 1600, Kansas City, MO 64111. The summary of your claim must include the following information: 1) The name, address, and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim. All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within 3 years after the publication of this Notice.

**NOTICE OF DISSOLUTION AND WINDING UP
OF GRENADIER, LLC**

This notice is provided to you pursuant to Missouri Statutes Sections 347.137 and 347.141.

1. Grenadier, LLC, a Missouri limited liability company (the “Company”), is dissolved and winding up its affairs.

2. Claims against the Company must be in writing and include the following information: a. Claimant’s name, address, phone number and email address; b. Specific details of claimant’s claim and documentation of the claim, including copies of any invoices or order forms; and c. Total amount claimed owed by the Company to the claimant. d. Claims against the Company must be presented in accordance with the notice, and sent to the following address:

Barkley Holding Company, Inc.
1740 Main Street
Kansas City, MO 64108

3. All claims against the Company are barred pursuant to Missouri Statutes Section 347.141, unless an action to enforce the claim is commenced within three (3) years after publication of the notice.

**NOTICE OF DISSOLUTION AND WINDING UP
OF DATUMLABS, LLC**

This notice is provided to you pursuant to Missouri Statutes Sections 347.137 and 347.141.

1. DatumLabs, LLC, a Missouri limited liability company (the “Company”), is dissolved and winding up its affairs.

2. Claims against the Company must be in writing and include the following information: a. Claimant’s name, address, phone number and email address; b. Specific details of claimant’s claim and documentation of the claim, including copies of any invoices or order forms; and c. Total amount claimed owed by the Company to the claimant.

3. Claims against the Company must be presented in accordance with the notice, and sent to the following address:

Barkley Holding Company, Inc.
1740 Main Street
Kansas City, MO 64108

4. All claims against the Company are barred pursuant to Missouri Statutes Section 347.141, unless an action to enforce the claim is commenced within three (3) years after publication of the notice

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*. Citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year – 47 (2022) and 48 (2023). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
1 CSR 10	OFFICE OF ADMINISTRATION				
1 CSR 10-3.010	State Officials' Salary Compensation Schedule				47 MoReg 1457
1 CSR 10-8.010	Commissioner of Administration		48 MoReg 1757		
1 CSR 10-11.010	Commissioner of Administration	48 MoReg 789	48 MoReg 557	48 MoReg 1552	
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel		48 MoReg 796	48 MoReg 1552	
1 CSR 20-4.020	Personnel Advisory Board and Division of Personnel		48 MoReg 558	48 MoReg 1552	
1 CSR 35-2.060	Division of Facilities Management		48 MoReg 691	48 MoReg 1451	
2 CSR 30-1.010	DEPARTMENT OF AGRICULTURE				
2 CSR 30-1.020	Animal Health		48 MoReg 1596		
2 CSR 30-2.004	Animal Health		48 MoReg 560	48 MoReg 1451	
2 CSR 30-2.010	Animal Health		48 MoReg 987		
2 CSR 30-2.020	Animal Health		48 MoReg 989		
2 CSR 30-2.040	Animal Health		48 MoReg 995		
2 CSR 30-9.100	Animal Health		48 MoReg 1000		
2 CSR 30-9.110	Animal Health		48 MoReg 1180R		
2 CSR 90	Propane Safety Commission Annual Budget		48 MoReg 1180R		48 MoReg 1461
2 CSR 90-20.040	Weights, Measures and Consumer Protection		48 MoReg 1009	This Issue	
2 CSR 90-21.010	Weights, Measures and Consumer Protection		48 MoReg 41	48 MoReg 959	
2 CSR 90-22.140	Weights, Measures and Consumer Protection		48 MoReg 1009	This Issue	
2 CSR 90-23.010	Weights, Measures and Consumer Protection		48 MoReg 1009	This Issue	
2 CSR 90-25.010	Weights, Measures and Consumer Protection		48 MoReg 1010	This Issue	
2 CSR 100-12.010	Missouri Agricultural and Small Business Development Authority		48 MoReg 912	48 MoReg 1553	
2 CSR 100-13.010	Missouri Agricultural and Small Business Development Authority		48 MoReg 915	48 MoReg 1553	
3 CSR 10-4.111	DEPARTMENT OF CONSERVATION				
3 CSR 10-5.215	Conservation Commission		This Issue		
3 CSR 10-5.250	Conservation Commission		48 MoReg 1180	This Issue	
3 CSR 10-5.300	Conservation Commission		48 MoReg 1183	This Issue	
3 CSR 10-5.310	Conservation Commission		48 MoReg 1185	This Issue	
3 CSR 10-5.315	Conservation Commission		48 MoReg 1187	This Issue	
3 CSR 10-5.320	Conservation Commission		48 MoReg 1189	This Issue	
3 CSR 10-5.324	Conservation Commission		48 MoReg 1191	This Issue	
3 CSR 10-5.330	Conservation Commission		48 MoReg 1193	This Issue	
3 CSR 10-5.331	Conservation Commission		48 MoReg 1193	This Issue	
3 CSR 10-5.331	Conservation Commission		48 MoReg 1195	This Issue	
3 CSR 10-5.340	Conservation Commission		48 MoReg 1195	This Issue	
3 CSR 10-5.345	Conservation Commission		48 MoReg 1197	This Issue	
3 CSR 10-5.351	Conservation Commission		48 MoReg 1199	This Issue	
3 CSR 10-5.352	Conservation Commission		48 MoReg 1201	This Issue	
3 CSR 10-5.359	Conservation Commission		48 MoReg 1203	This Issue	
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3 CSR 10-12.110	Conservation Commission		This Issue		
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5 CSR 20-100.130	Division of Learning Services		48 MoReg 574	48 MoReg 1451	
5 CSR 20-100.185	Division of Learning Service		48 MoReg 1364		
5 CSR 20-100.230	Division of Learning Services		48 MoReg 307	48 MoReg	
5 CSR 20-100.255	Division of Learning Services		48 MoReg 1367R		
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5 CSR 20-400.440	Division of Learning Services		48 MoReg 574	48 MoReg 1451	
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6 CSR 10-9.020	Commissioner of Higher Education		48 MoReg 955	This Issue	
6 CSR 250-3.010	University of Missouri		48 MoReg 729R	48 MoReg 1456R	
6 CSR 250-3.020	University of Missouri		48 MoReg 729R	48 MoReg 1456R	
6 CSR 250-4.010	University of Missouri		48 MoReg 729R	48 MoReg 1457R	
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6 CSR 250-6.030	University of Missouri		48 MoReg 731R	48 MoReg 1458R	
6 CSR 250-6.040	University of Missouri		48 MoReg 731R	48 MoReg 1458R	
6 CSR 250-7.010	University of Missouri		48 MoReg 1013R	48 MoReg 1646R	
6 CSR 250-7.020	University of Missouri		48 MoReg 1013R	48 MoReg 1646R	
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7 CSR 265-8.032	Motor Carrier and Railroad Safety		This Issue		
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9 CSR 30-3.152	Certification Standards		48 MoReg 1688		
9 CSR 30-3.155	Certification Standards		48 MoReg 1700		
9 CSR 30-3.192	Certification Standards		This Issue		
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10 CSR 10-6.200	Director's Office		48 MoReg 1431		
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11 CSR 30-8.010	Office of the Director		48 MoReg 202R		
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11 CSR 30-8.030	Office of the Director		48 MoReg 202R		
11 CSR 30-8.040	Office of the Director		48 MoReg 202R		
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11 CSR 30-9.040	Office of the Director		48 MoReg 203R		
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11 CSR 45-5.053	Missouri Gaming Commission		48 MoReg 1432		
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11 CSR 45-5.060	Missouri Gaming Commission		48 MoReg 1435		
11 CSR 45-5.070	Missouri Gaming Commission		48 MoReg 1435		
11 CSR 45-5.100	Missouri Gaming Commission		48 MoReg 1763		
11 CSR 45-5.110	Missouri Gaming Commission		48 MoReg 1435		
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11 CSR 45-5.290	Missouri Gaming Commission		48 MoReg 1441		
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12 CSR 10-2.080	Director of Revenue		48 MoReg 1540		
12 CSR 10-2.105	Director of Revenue		48 MoReg 1014		
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12 CSR 10-2.205	Director of Revenue		48 MoReg 1540R		
12 CSR 10-2.210	Director of Revenue		48 MoReg 1541R		
12 CSR 10-2.226	Director of Revenue		48 MoReg 1707		
12 CSR 10-2.720	Director of Revenue		48 MoReg 1541R		
12 CSR 10-3.050	Director of Revenue <i>moved to 12 CSR 10-103.050</i>				48 MoReg 1461
12 CSR 10-3.404	Director of Revenue <i>moved to 12 CSR 10-110.404</i>				48 MoReg 1461
12 CSR 10-3.552	Director of Revenue <i>moved to 12 CSR 10-102.110</i>		48 MoReg 1707		
12 CSR 10-3.554	Director of Revenue <i>moved to 12 CSR 10-102.554</i>				48 MoReg 1461
12 CSR 10-3.846	Director of Revenue <i>moved to 12 CSR 110-10.846</i>				48 MoReg 1461
12 CSR 10-4.015	Director of Revenue		48 MoReg 1606R		
12 CSR 10-4.100	Director of Revenue		48 MoReg 1606R		
12 CSR 10-4.160	Director of Revenue <i>moved to 12 CSR 10-102.160</i>				48 MoReg 1461
12 CSR 10-4.170	Director of Revenue <i>moved to 12 CSR 10-103.170</i>		48 MoReg 1607		
12 CSR 10-4.180	Director of Revenue <i>moved to 12 CSR 10-103.180</i>				48 MoReg 1461
12 CSR 10-4.185	Director of Revenue <i>moved to 12 CSR 10-103.185</i>				48 MoReg 1461
12 CSR 10-4.230	Director of Revenue		48 MoReg 1708R		
12 CSR 10-4.280	Director of Revenue		48 MoReg 1708R		
12 CSR 10-4.310	Director of Revenue <i>moved to 12 CSR 10-103.310</i>				48 MoReg 1461
12 CSR 10-4.600	Director of Revenue <i>moved to 12 CSR 10-103.630</i>				48 MoReg 1461
12 CSR 10-4.610	Director of Revenue <i>moved to 12 CSR 10-103.640</i>				48 MoReg 1461
12 CSR 10-4.622	Director of Revenue		48 MoReg 1607R		
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12 CSR 10-7.190	Director of Revenue		48 MoReg 1607R		
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12 CSR 10-9.290	Director of Revenue		48 MoReg 1280R		
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12 CSR 10-10.125	Director of Revenue		48 MoReg 1280R		
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12 CSR 10-23.185	Director of Revenue		48 MoReg 1280		
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12 CSR 10-102.160	Director of Revenue <i>formerly 12 CSR 10-4.160</i>				48 MoReg 1461
12 CSR 10-102.554	Director of Revenue <i>formerly 12 CSR 10-3.554</i>				48 MoReg 1461
12 CSR 10-103.050	Director of Revenue <i>formerly 12 CSR 10-3.050</i>				48 MoReg 1461
12 CSR 10-103.170	Director of Revenue <i>formerly 12 CSR 10-4.170</i>		48 MoReg 1607		
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12 CSR 10-103.630	Director of Revenue <i>formerly 12 CSR 10-4.600</i>				48 MoReg 1461
12 CSR 10-103.640	Director of Revenue <i>formerly 12 CSR 10-4.610</i>				48 MoReg 1461
12 CSR 10-107.100	Director of Revenue		48 MoReg 1610		
12 CSR 10-108.600	Director of Revenue		48 MoReg 1545		
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12 CSR 10-110.404	Director of Revenue <i>formerly 12 CSR 10-3.404</i>				48 MoReg 1461
12 CSR 10-110.846	Director of Revenue <i>formerly 12 CSR 10-3.846</i>				48 MoReg 1461
12 CSR 10-111.010	Director of Revenue		48 MoReg 1611		
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13 CSR 35-60.030	Children's Division		This Issue		
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13 CSR 70-3.180	MO HealthNet Division		48 MoReg 1614		
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13 CSR 70-15.110	MO HealthNet Division	48 MoReg 1349	48 MoReg 1441		
13 CSR 70-15.160	MO HealthNet Division	48 MoReg 1357	48 MoReg 1546		
13 CSR 70-20.320	MO HealthNet Division		48 MoReg 734	48 MoReg 1647	
13 CSR 70-70.010	MO HealthNet Division		48 MoReg 734	48 MoReg 1721	
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13 CSR 35-71.015 Background Checks for Personnel of Residential Care
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19 CSR 10-3.050 Graduate Medical Education Grant Program48 MoReg 1747.Sept. 18, 2023. March 15, 2024

19 CSR 10-60.060 Health Professional Loan Repayment ProgramNext Issue.Oct. 13, 2023. .. Term. Oct. 6, 2023

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19 CSR 30-1.002 Schedules of Controlled SubstancesNext Issue.Oct. 10, 2023. April 6, 2024

19 CSR 30-20.125 Unlicensed Assistive Personnel Training Program48 MoReg 1177. June 6, 2023.Dec. 2, 2023

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20 CSR 2220-6.050 Administration of Vaccines48 MoReg 1680Aug. 28, 2023.Feb. 23, 2024

EXECUTIVE ORDERS

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
2023			
23-08	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe storm systems	August 5, 2023	48 MoReg 1684
23-07	Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government	July 28, 2023	48 MoReg 1595
23-06	Rescinds Executive Order 17-20	June 29, 2023	48 MoReg 1423
23-05	Declares drought alerts for 60 Missouri counties in accordance with the Missouri Drought Mitigation and Response Plan	May 31, 2023	48 MoReg 1179
23-04	Designates members of the governor's staff as having supervisory authority over each department, division, or agency of state government	April 14, 2023	48 MoReg 911
23-03	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to severe storm systems	March 31, 2023	48 MoReg 795
23-02	Extends Executive Order 22-08, the State of Emergency, and waivers until February 28, 2023	January 24, 2023	48 MoReg 433
23-01	Orders the commencement of the Missourians Aging with Dignity Initiative, with directives to support all citizens as they age	January 19, 2023	48 MoReg 431
2022			
22-11	Extends Executive Order 22-08, the State of Emergency, and waivers until January 31, 2023	December 29, 2022	48 MoReg 193
22-10	Declares that the current State of Emergency shall permit certain vehicles be temporarily exempt from some hours of service requirements	December 21, 2022	48 MoReg 191
22-09	Declares a call and order into active service of the organized militia and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe winter storm systems	December 20, 2022	48 MoReg 189
22-08	Declares a State of Emergency and waives certain regulations to allow other registered entities to fill liquefied petroleum gas containers owned by Gygr-Gas	December 15, 2022	48 MoReg 117
22-07	Extends Executive Order 22-04 to address drought-response efforts until March 1, 2023	November 28, 2022	48 MoReg 39
22-06	Closes executive branch state offices for Friday, November 25, 2022	November 7, 2022	47 MoReg 1708
Proclamation	Convenes the One Hundred First General Assembly in the First Extraordinary Session of the Second Regular Session regarding extension of agricultural tax credits and to enact legislation amending Missouri income tax	August 22, 2022	47 MoReg 1420
22-05	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to severe storm systems	July 26, 2022	47 MoReg 1279
22-04	Declares a drought alert for 53 Missouri counties and orders the director of the Department of Natural Resources to activate and designate a chairperson for the Drought Assessment Committee	July 21, 2022	47 MoReg 1277
Proclamation	In accordance with <i>Dobbs</i> , Section 188.017, RSMo, is hereby effective as of the date of this order	June 24, 2022	47 MoReg 1075
22-03	Terminates the State of Emergency declared in Executive Order 22-02	February 7, 2022	47 MoReg 411

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
22-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe winter storm systems	February 1, 2022	47 MoReg 304
22-01	Establishes and Designates the Missouri Early Childhood State Advisory Council	January 7, 2022	47 MoReg 222

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